

WILL WORKSHEET FOR PERSONS WHO HAVE OR ARE EXPECTING CHILDREN

INSTRUCTIONS AND DISCLAIMERS:

This worksheet will guide you through a step-by-step question and answer process. You are required to answer every question. INITIAL HERE: _____

You must return this complete worksheet to the legal assistance office before we can draft your will on your behalf. INITIAL HERE: _____

This worksheet is not itself a legal document. INITIAL HERE: _____

This worksheet is not a Last Will and Testament. INITIAL HERE: _____

Upon receipt of this complete will worksheet, the Legal Assistance Office will draft a Will for you. You must sign the completed will to finalize and execute your Will. INITIAL HERE: _____

INFORMATION ABOUT YOU (THE CLIENT)

1. What is your Military status that should be included in your Last Will & Testament?
 - ☐ In the U.S. Armed Forces
 - ☐ Retired from the U.S. Armed Forces
 - ☐ A dependent of someone in the U.S. Armed Forces
 - ☐ A dependent of someone retired from the U.S. Armed Forces
 - ☐ Other (e.g. Deploying Civilian; 20/20/20 Former Spouse)
2. We must draft your estate package for the state that is your state of domicile. Your "domicile" or "permanent legal residence" refers to the place where you intend to live and which you consider your permanent home. It is fact based. Please answer the following questions to help us determine your state of domicile:
 - (a) Name the state or territory where you are or would be registered to vote if you decided to register to vote. _____
 - (b) What state issued your current your driver's license? _____
 - (c) In what state is your motor vehicle registered? If you have multiple motor vehicles list the state of registration for each vehicle. _____ (d) What state or territory do you claim for state income tax purposes? _____ (e) List each state in which you OWN real property; if none please write "none": _____
 - (f) In which state or territory are you currently stationed? _____
3. Print your full legal name and Include Any Suffixes (Jr, Sr, II) _____

4. Print your mailing address: _____
5. Print your preferred phone number _____
6. Print your preferred email address for email correspondence from our legal office:

7. Are you a U.S. citizen? ☐ NO ☐ YES

INFORMATION ABOUT YOUR FAMILY

8. I have the following children or step-children

TABLE 1-1 CHILDREN					
Full Name (First, Middle, Last) – Include Jr., III, etc., if applicable	Age	If the other parent is NOT you're your current spouse/partner, list the other parent's name below:	Status: (B) Biological (A) Adopted (S) Stepchild	Mark if the child is deceased.	Mark if the child is receiving/may receive disability, SSI, Gov't Assistance
1.				<input type="checkbox"/> YES	<input type="checkbox"/> YES
2.				<input type="checkbox"/> YES	<input type="checkbox"/> YES
3.				<input type="checkbox"/> YES	<input type="checkbox"/> YES
4.				<input type="checkbox"/> YES	<input type="checkbox"/> YES
5.				<input type="checkbox"/> YES	<input type="checkbox"/> YES
6.				<input type="checkbox"/> YES	<input type="checkbox"/> YES
7.				<input type="checkbox"/> YES	<input type="checkbox"/> YES
8.				<input type="checkbox"/> YES	<input type="checkbox"/> YES

9. Do you want to treat your step-children as your own children for inheritance purposes?
YES ☐ NO ☐

10. ☐ I am currently legally single (Skip to Q 12.)

☐ I am in a registered domestic partnership (RDP) and my partner's name is:
_____ (RDP)

☐ I am married and my spouse's name is:
_____ (SPOUSE)

11. Is your spouse/partner a U.S. citizen? ☐ NO ☐ YES
12. Were you ever previously married or did you ever have a prior RDP?
☐ No (Answer Q. 13) ☐ Yes (Answer Q. 12 a-c)
- a. If yes, do you wish to make a statement in your estate plan to clarify that the marriage/partnership was legally terminated? ☐ NO ☐ YES
- b. Please list the name of your prior Spouse/Partner below and select whether the termination was by death or court action:
Prior Spouse/Partner's Name _____
☐ My prior spouse died on [date] _____.
☐ My prior marriage was terminated on [date] _____.
- c. Are there any separation agreements, property settlement agreements, pre-marital agreements, etc., that would dictate how some of your assets are to be distributed?
☐ Yes. Please provide your servicing legal assistance office with a copy of the agreement(s) before your consultation with the attorney.
☐ No
13. Do you want to disinherit anyone?
☐ NO (Skip to 14) ☐ YES (Please answer 13 a-c)
- a. If yes, who? (1) _____
(2) _____
(3) _____
- b. What is the reason for the disinheritance, if any, to be stated in your will? ☐ No reason to be stated.
☐ Write the reason you want us to state in your will here: _____
- c. Do you also wish to disinherit this person's children and other descendants?
☐ NO ☐ YES

FUNERAL/BURIAL INSTRUCTIONS

14. **(Service members, Retirees and Veterans only)** ☐ I do not want military honors.
☐ I want military honors.

15. **(Service members and Retirees and Veterans only): American Flag for Survivors.** The Department of Veterans Affairs can provide only one flag via your funeral director or by your next-of-kin submitting VA Form 27-2008. (See 38 U.S.C. § 2301(f) (1). Your estate will have to pay for additional flags which in 2022, start at \$60 per flag.

- ☐ I do not want American flags to be given to any survivors.
- ☐ I want American flags given to the following persons:

TABLE 1-2 FLAG DISTRIBUTION	
Name	Relationship to you
1.	
2.	
3.	
4.	
5.	

16. **(All clients)** Please select ONE option below concerning your wish to state your burial or cremation directions in your will?

- a. ☐ I do not want to state my wishes for burial or cremation in my will.
- b. ☐ I have a funeral or cremation or burial agreement with the following service:
_____; telephone: _____.
- c. ☐ My body shall be cremated and my ashes shall be scattered in or at (state the location) _____.
- d. ☐ My body shall be cremated and my ashes shall be given to (name the person) _____ to dispose of as privately discussed.
- e. ☐ My body shall be cremated and my ashes shall be given to (name the person) _____ and scattered in or at (state the location) _____.
- f. ☐ My body shall be buried at the (state the location) _____.
- g. ☐ My body shall be buried at a location chosen by my Executor.
- h. ☐ Other _____

17. **(All clients)** Please select ONE option below concerning your wishes or directions regarding arrangements for your memorial service or funeral.

- a. ☐ I direct that arrangements for my funeral may be made and carried out according to the custom and ceremony of the following religious order or other denomination _____.
- b. ☐ I direct that the disposition of my remains include a non-religious memorial service.

- c. ☐ None of the above, but I direct instead that _____
- _____.

INFORMATION ABOUT YOUR ASSETS

- 18. (Net Worth)** After subtracting out all debts (including mortgages, car loans, and other lines of credit), what is the approximate dollar value of the assets (including homes, vehicles, household furnishings, electronics, guns, insurance policies, retirement accounts, bank accounts, and other personal property and effects) you own? Use current resale value & actual account balances when you calculate your net worth.

My net worth is approximately (SELECT ONE BOX)

- ☐ \$0-\$500,000, including any life insurance on my life
- ☐ \$500,001 - \$999,999 including any life insurance on my life (Continued on next page)
- ☐ \$1 million to \$1.99 million including any life insurance on my life
- ☐ \$2 million or more including any life insurance on my life

DISTRIBUTION OF YOUR ESTATE

- 19. Specific Gifts of Unique or Highly Sentimental Tangible Personal Property.** You may list specific items of high monetary value or items of sentimental value such as furniture, collectibles, and personal effects to go to specific beneficiaries in Table 1-4. For example, I give my Harry Potter First Edition Collection to my nephew Aaron Adams.

Select the box below that best represents how you want to dispose of your tangible personal property.

- ☐ I do not wish to make any specific personal property gifts. Skip to Q 21.
- ☐ In the table below I have made a few specific gifts of special or very unique personal property. I named an alternate person(s) for the gift(s) in case my primary dies before me. I am aware that if all the named persons dies with me or before then the gift fails and will pass under the residue (remainder) of my estate at Q. 26. After filling in the below table continue with Q. 21.

TABLE 1-4 PERSONAL PROPERTY BENEFICIARIES

Primary Beneficiary Name(s)	Alternate beneficiary Name(s)	Specific Description of property
A.	A1.	Gift 1
	A2.	
B.	B1.	Gift 2
	B2.	
C.	C1.	Gift 3
	C2.	
D.	D1.	Gift 4
	D2.	
E.	E1.	Gift 5
	E2.	

- 20. Costs of Delivering Gifts to Beneficiaries:** There may be some expense involved with packing, shipping, insuring and delivering your tangible personal property and motor vehicles or items in your residuary estate to your beneficiaries. Requiring a beneficiary to pay these costs could cause an economic burden for a beneficiary who lives far away from you, while requiring your estate to pay these costs could decrease the value of the gifts going to other beneficiaries. Do you want your estate or each beneficiary to pay these costs?

- ☐ My executor is directed to pay these expenses from my estate.
☐ I direct that the beneficiary must pay these expenses.

21. SPECIFIC GIFTS OF REAL ESTATE:

- ☐ I do not own any real property (Skip to Q 24)
- ☐ **All of my real property to my surviving spouse or RDP if he/she survives me.** If my spouse or RDP does not survive me then all my real property goes to my surviving children whom I have not otherwise disinherited.
- ☐ All my real property to my surviving children whom I have not otherwise disinherited, in equal shares **and none to my surviving spouse or RDP.**
- ☐ **None for my spouse/RDP/children.** All of my real estate to one or more other persons named in 22 (A) below in equal shares.
- ☐ I want to give **different people different pieces of real estate.** I have listed each property & the specific beneficiaries below in 22 (B-D).
- ☐ I **do not want to make a specific gift of any real property** I own at my death. I just want it all to pass under the RESIDUE (remainder) of my estate.

TABLE 1-5 REAL ESTATE BENEFICIARIES

A. Property Address (Street, City, State)	B. Primary Beneficiary (ies) Name(s)	C. Alternate Beneficiaries in rank order 1 st , 2 nd , 3 rd . If any beneficiary in "B" predeceases me the 1 st listed surviving alternate in "C" takes the share of the deceased person in "B".
22 (A). All real property I own or have an interest in at the time of my death.	B1. 1. 2. 3.	C1. 1. 2. 3.
22 (B). Specific Real Property to one or more Persons. List property address:	B2. 1. 2. 3.	C2. 1. 2. 3.
22 (C) Specific Real Property to one or more persons. List property address:	B3. 1. 2. 3.	C3. 1. 2. 3.
22 (D) Specific Real Property to one or more persons. List property address:	B4. 1. 2. 3.	C4. 1. 2. 3.

23. If there is any mortgage or other debt on the real estate does your estate pay off that debt or does the recipient(s) of the gift of the real estate pay the debt. If you want your estate to pay off the mortgage you must have enough other assets to cover the mortgage. Normally, the beneficiary of the real estate is responsible for the debt. Select your choice from the below options.

- ☐ My executor should pay the debt from my estate.
- ☐ The real estate should pass to my beneficiary subject to the mortgage (i.e., your beneficiary must pay the debt using their own funds or by taking out their own mortgage).
- ☐ I don't have any debt on the real estate I own.

24. Cash Gifts: In order to leave cash gifts you must have **cash on hand**, or **money in a bank or savings & loan account** that is **NOT** jointly owned and does not have a pay-on-death beneficiary designated. If you make a cash gift but do not have enough cash to satisfy the gift, some of the residue of your estate may have to be sold to satisfy the gift and will then reduce the total amount given to your residuary estate beneficiaries. Choose one answer below.

☐ I do not want to make any cash gifts. ☐ I want to make the following cash gifts.

TABLE 1-6 CASH GIFTS		
Beneficiary Name(s)	Amount	Source of this cash gift
1.		
2.		
3.		
4.		
5.		

25. Residuary Estate – Your “residuary estate” is what is left over after all specific gifts, and devises and pre-residuary gifts in Q 20-25 have been distributed and all debts, taxes and administrative costs, probate fees and court costs have been paid. **How would you like your residuary estate distributed?**

☐ Outright to my surviving spouse or RDP, but if my spouse or RDP does not survive me then 100% of my residuary estate should go to my children. **Answer Q. 29.**

☐ My children will receive 100% of my estate because I do not have a spouse or a RDP or I am disinheriting my spouse or RDP. **Answer Q. 29.**

TABLE 1-7 RESIDUARY ESTATE	
<input type="checkbox"/> I want to mix it up between multiple people: I wish to give my residuary estate in unequal or equal shares to multiple people or charities in stated percentages. (Continue with Q 29 after completing this table.) Beneficiary Full Name	Percentage (must add up to 100)
1.	
2.	
3.	
4.	
5.	
6.	
TOTAL MUST EQUAL 100%	

26. In the event all of your designated beneficiaries die before you or with you, how do you want the remainder distributed?

☐ To my intestate heirs (i.e., according to the laws of the jurisdiction where my will is probated, usually surviving spouse, descendants of yours, parents, descendants of your parents and finally descendants of your grandparents. If none exist, then possible the state in which your will placed for probate.)

☐ To the people or charities named in the below table:

TABLE 1-8 RESIDUARY ESTATE ALTERNATE BENEFICIARIES	
Full Name of Individual or Charity	Percentage (must add up to 100)
1.	
2.	
3.	
4.	
TOTAL MUST EQUAL 100%	

27. With respect to **your digital assets and electronic communications** (such as email and social media accounts), you can give your executor access to just the catalogue (which is just identifying information, and should be a sufficient level of access for the executor to close accounts) or the catalogue and content (which would additionally give the executor access to the substance of the communications, including some potentially personal information).

☐ I do not want anyone accessing my content or the catalogue (SKIP TO PAGE 15)

☐ Both the catalogue and the content or ☐ Just the catalogue (ANSWER Q 29)

My digital ID is

_____@icloud.com

_____@gmail.com

_____@yahoo.com

_____@_____

28. If you have an Apple ID, your will needs to include specific language to enable your executor to access any Apple assets. Do you wish to include all digital assets and devices encompassed by your Apple ID(s)? YES ☐ NO ☐

DESIGNATION OF EXECUTORS, TRUSTEES, GUARDIANS AND FIDUCIARY BONDS:

In the below table have the client name a person over the age of 18 years who is a U.S. Citizen or Lawful Permanent Resident to serve as (a) Executor or co-Executors (Personal Representative); (b) Trustee or co-Trustees; (c) Guardian of the Person of a minor or co-guardians of the person of a minor; and (d) Guardian of the estate of a minor or co-Guardians of the estate of a minor; and (e) whether any child must become the beneficiary of a Special or Supplemental Needs Trust.

TABLE 1-9 DESIGNATION OF EXECUTORS				
	Name of Executor	Relationship to you (e.g., my sister, my uncle)	Do you want to waive bond?	Is the bond reimbursable from the estate
Executor			YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
1 st Alternate Executor			YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
2 nd Alternate Executor			YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
	Name of Co-Executors		YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
Co-Executor 1			YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
Co-Executor 2			YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
1 st Alternate Co-Executor			YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
2 nd Alternate Co-Executor			YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>

TABLE 1-11 GUARDIAN OF THE PERSON OF A MINOR				
	Name Guardian of the Person of a Minor	Relationship to you (e.g., my sister, my uncle)	Do you want to waive bond?	Is the bond reimbursable from the estate
Guardian of the Person of a Minor			YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
1 st Alternate Guardian of the Person of a Minor			YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
2nd Alternate Guardian of the Person of a Minor			YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
	Name of Co-Guardians of the Person of a Minor			
Co-Guardian 1			YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
Co-Guardian 2			YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
1 st Alternate Co-Guardian			YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
2 nd Alternate Co-Guardian			YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>

No-Contest

30. A “no-contest” clause is used to deter a beneficiary from challenging the validity of your will in court. If you include a no-contest clause, any beneficiary who challenges your will could forfeit any gift you made to them under your will if the court recognizes and enforces these clauses. Do you wish to include a “no contest clause in your will? YES ☐ NO ☐

31. MARRIED OR IN AN RDP ONLY: In the event of simultaneous death, ☐ client be deemed to have survived spouse/RDP or ☐ spouse/RDP shall be deemed to have survived client or ☐ spouse/RDP and client’s estate shall be equally divided between their named beneficiaries.