

**WILL WORKSHEET FOR PERSONS WHO HAVE NO BIOLOGICAL OR ADOPTED CHILDREN AND
WHO ARE NOT EXPECTING OR IN THE PROCESS OF ADOPTING A CHILD**

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 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 chose 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 all states/territories in which you OWN real property (if none, please write "none".)

(f) In which state/territory are you currently stationed? _____

3. Print your full legal name and include suffixes, e.g., 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 am married to _____ or I am in a registered domestic partnership (RDP) with _____ and my spouse or RDP is not a U.S. citizen or my spouse or RDP is a U.S. citizen.

I am single or divorced, a/k/a/ legally unmarried and I am not in a registered domestic partnership (RDP).

9. I certify that I do not have, or anticipate having, a biological or adopted child or a step-child. I am aware that if I do have or adopt children in the future I will need to update my estate plan.
INITIAL HERE: _____

10. Were you ever previously married or did you ever have a prior RDP?

YES (Answer Q 10 a-c) NO (Skip to Q 11)

(a) If yes, do you want to make a statement in your estate plan to clarify the marriage or 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 legal assistance office with a copy of the agreement(s) before your consultation with the attorney.

No

11. Do you want to disinherit anyone? YES (Please answer 11 a-c) NO (Skip to Q 12)

(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

12. (Service members, Retirees, and Veterans only): I do not want military honors.

I want military honors.

13. (Service members, 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 given to any survivors.

I want American Flags given to the following persons:

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

14. (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 previously executed 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) _____. (Continues next page)
- (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 _____.

15. (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 or other denomination _____.
- (b) I direct that my funeral include a non-religious memorial service.
- (c) None of the above, but I direct instead that _____.

INFORMATION ABOUT YOUR ASSETS

16. 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
- \$1 million to \$1.99 million including any life insurance on my life
- \$2 million or more including any life insurance on my life

17. 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 1-3. 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 tangible personal property gifts. (Skip to Q. 19)
- I will use a Tangible Personal Property memorandum (TPPM). (Skip to Q. 19) 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 die with me or before then the gift fails and will pass under the residue (remainder) of my estate at Q 23. After filling in the below table continue with Q. 19.

TABLE 1-3 TANGIBLE PERSONAL PROPERTY

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.	

18. Costs of Delivering Gifts to Beneficiaries: Please note that 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 result in a disproportionate impact on the 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.

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

19. Specific Gifts of Real Estate: CHOOSE ONLY ONE OF THE OPTIONS Below.

- I do not own any real property (Skip to Q 22)
- 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. (Skip to Q 21)
- I am married or in a RDP. All of my real property to my spouse or RDP if he/she survives me.** If my spouse or RDP does not survive me then all my real property shall pass as follows in the below table:
- I am single or unmarried and all of my real property shall go to the persons I will list in the below table:**

TABLE 1-4 REAL ESTATE		
Property	1 st & 2 nd Alternate Beneficiary	Relationship to You
Primary Residence	1. 2.	
Second Home/Condo	1. 2.	
Time Share	1. 2.	
Other:	1. 2.	

AVAILABLE ONLY TO MARRIED PERSONS OR PERSONS IN RDPS: None to my spouse or RDP. All to the persons named in the below table:

TABLE 1-5 REAL ESTATE MARRIED PERSON (CANNOT NAME SPOUSE OR DOMESTIC PARTNER HERE)		
Property	Primary Beneficiary, 1 st Alternate, 2 nd Alternate	Relationship to You
Primary Residence	1. 2. 3.	
Second Home/Condo	1. 2. 3.	
Time Share	1. 2. 3.	
Other:	1. 2. 3.	

20. If you have any debt on the real estate you own, you must decide whether you want the debt to be paid from your estate or whether you want the recipient(s) of the real estate to pay the debt. If you want the debt to be paid from your estate, make sure you have enough other assets to cover the amount of the debt, and realize the impact this may have on the beneficiaries of those other assets (i.e., it will decrease the value of the assets they receive). Who should be responsible for paying any debt owed on your real estate?

- 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.

21. 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.		

22. Residuary Estate: Your “residuary estate” consists of those items left over in your estate after all specific gifts and devises in Q 19-22 have been distributed and all debts, taxes, administrative costs, and probate fees have been paid. Usually assets in the residuary estate are best distributed outright which results in the least expense to your estate. How would you like your residuary estate distributed? **Select only one response from amongst tables 1-7, 1-8, or 1-9.**

To my surviving spouse or registered domestic partner as an outright distribution, but if my spouse or registered domestic partner does not survive me then I wish to distribute 100% of my residuary estate listed in the below table:

I am single or unmarried with no children and all of my real property shall go to the persons I will list in the below table:

TABLE 1-7 RESIDUARY ESTATE	
Beneficiary Full Name	Percentage (must add up to 100)
1.	
2.	
3.	
4.	
5.	
SUM	

(a) 50% to my surviving spouse or registered domestic partner as an outright distribution, and the balance of my residuary estate as follows:

TABLE 1-8 RESIDUARY ESTATE 50% TO SPOUSE	
Beneficiary Full Name	Percentage (must add up to 100)
1.	
2.	
3.	
4.	
5.	
SUM	

(b) 0% to my surviving spouse or registered domestic partner (CONFIRM DISINHERITANCE of spouse/RDP at Q 12), and the balance of my residuary estate as follows:

TABLE 1-9 RESIDUARY ESTATE DISINHERIT SPOUSE	
Beneficiary Full Name	Percentage (must add up to 100)
1.	
2.	
3.	
4.	
5.	
SUM	

23. 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. Most jurisdictions distribute as follows: to the surviving spouse, then to your descendants, parents, descendants of your parents, and, finally, to the descendants of your grandparents. If none exist, then the remainder will likely be distributed to the state in which your will was placed for probate.)

To the people or charities named in the following table:

TABLE 1-10 ALTERNATE BENEFICIARIES	
Full Name of Individual or Charity	Percentage (must add up to 100)
1.	
2.	
3.	
4.	
5.	
SUM	

24. 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 12)

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

My digital ID is

_____ @icloud.com (Apple)

_____ @gmail.com (G-mail)

_____ @yahoo.com (Yahoo)

_____ @_____ (Other)

25. 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:

26. 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).

TABLE 1-11 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"/>

27. Does client authorize individual executors and trustee(s) to receive reasonable compensation for their services? YES NO

No-Contest

28. 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

29. 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.