

WILL WORKSHEET

(Please Print Clearly)

9. DO YOU OWN ANY REAL ESTATE? ___ YES ___ NO
10. DO YOU HAVE A FARM OR FAMILY-OWNED BUSINESS? ____ YES ____ NO

11. LIST ANY SPECIFIC BEQUEST(S) AND THE BENEFICIARY(IES):
(E.G., CASH, ITEMS OF PERSONAL PROPERTY OR REAL ESTATE)

12. MY ESTATE IS TO BE GIVEN AS FOLLOWS:

____ TO MY SPOUSE OUTRIGHT. IF MY SPOUSE PREDECEASES ME, TO MY CHILDREN AND THEIR DESCENDANTS.

____ TO MY SPOUSE OUTRIGHT. IF MY SPOUSE PREDECEASES ME, TO SOMEONE OTHER THAN MY CHILDREN.

____ TO MY SPOUSE OUTRIGHT.

____ TO MY CHILDREN AND THEIR DECENDANTS.

____ DISINHERIT MY SPOUSE (TO THE EXTENT PERMITTED BY LAW).

____ TO SOMEONE OTHER THAN MY SPOUSE OR CHILDREN: _____

IF NONE OF THE ABOVE SURVIVES ME, THEN TO: _____

PROVIDE ANY SPECIAL INSTRUCTIONS: _____

IF ANY OF THE ABOVE BENEFICIARIES PREDECEASE YOU AND LEAVE CHILDREN (ISSUE), DO YOU WANT THE SHARE OF THE DECEASED BENEFICIARY TO PASS TO THEIR CHILDREN, OR TO PASS ONLY TO THE SURVIVING BENEFICIARIES YOU HAVE INDICATED ABOVE?

____ TO THE CHILDREN OF ANY DECEASED BENEFICIARY (PER STIRPES)

____ ONLY TO THE BENEFICIARIES LISTED ABOVE (PER CAPITA)

A BENEFCIARY MUST HAVE ATTAINED WHAT AGE TO BE ENTITLED TO RECEIVE A BEQUEST OUTRIGHT: ___ 18 ___ 21

___ OTHER, PAID AT THE ELECTION OF EXECUTOR OR ESTABLISH A TESTAMENTARY TRUST. *SELECTING AN AGE GREATER THAN 21 CAN CREATE AN EXPRESS TRUST, THE ADMINISTRATION OF WHICH CAN BE EXPENSIVE.*

13. NAME A TRUSTEE (FOR MINOR CHILDREN)

YOUR TRUSTEE WILL RESPONSIBLE FOR OVERSEEING, MANAGING AND DISTRIBUTING YOUR ASSETS FOR THE BENEFIT OF BENEFICIARIES DESIGNATED UNDER TRUSTS CREATED IN YOUR WILL.

PRIMARY TRUSTEE: _____

FIRST ALTERNATE: _____

SECOND ALTERNATE: _____

WILL WORKSHEET

(Please Print Clearly)

14. NAME AN EXECUTOR TO MANAGE YOUR ESTATE (NAME AND RELATIONSHIP):

The executor (or in some states, “personal representative”) is the person who makes sure your estate is settled upon your death. This ordinarily involves going through probate, which is a court-administered procedure for settling an estate. Probate involves petitioning a court for letters of appointment, settling creditor claims, finding and distributing assets, and filing any necessary tax returns. Many states have a preference for, or require, an executor who is a legal resident of the state where probate is conducted. In some states, such as Florida, the executor must also be a blood relative of the testator/testatrix. Therefore, if possible, you should select a family member who is a resident of the same state in which you claim legal residence or in which you own real estate. You should discuss with your attorney whether the state in which your estate will be probated permits a friend of the testator/testatrix to act as the executor.

PRIMARY EXECUTOR: _____
RELATIONSHIP: _____
FIRST ALTERNATE: _____
SECOND ALTERNATE: _____

15. GUARDIAN APPOINTMENT FOR MINOR CHILDREN (NAME AND RELATIONSHIP):

PRIMARY GUARDIAN: _____
RELATIONSHIP: _____
FIRST ALTERNATE: _____
SECOND ALTERNATE: _____

OPTIONAL ANCILLARY DOCUMENTS (OPTIONAL)

1. LIVING WILLS:

A living will is not part of your will at all! But this is a good time to consider whether you want a living will, which is more accurately called an advance medical directive or declaration. This document becomes operative in the event your physician determines that you have a terminal, incurable medical condition and your life is only prolonged by means of artificially provided life support. Through your living will you can communicate a desire not to have your life prolonged through the use of artificial life support.

The conditions that trigger the living will, and the extent of the medical care to be withdrawn, vary from state to state. Therefore, you should carefully review the language of the living will for the state you have chosen and decide if it truly reflects your choice for discontinuing life support. Once executed, the document is effective until it is revoked, which you may do at any time by physically destroying the document, or in an emergency, by verbally revoking it before witnesses who can testify that you did in fact revoke it.

DO YOU WANT A LIVING WILL? _____ YES _____ NO

WILL WORKSHEET

(Please Print Clearly)

2. DURABLE POWER OF ATTORNEY FOR HEALTH CARE:

Another important health care document is the durable power of attorney for medical care. You may execute this document in addition to the living will.

This document appoints someone to make medical care decisions for you in the event that you cannot make your own medical decisions. The living will only addresses the issue of continued life support when you have a terminal condition. Unlike the living will, the power of attorney for medical care gives the person you designate as your agent the authority to make a wide range of medical decisions on your behalf. It also gives your agent access to your medical information and authority to fully participate with your treating physicians in deciding the care to be provided to you. The person you designate to be your agent should be someone you trust with life and death decisions. Like the living will, the power of attorney is drafted in accordance with the laws of the state in which you are residing.

DO YOU WANT A DURABLE POWER OF ATTORNEY FOR HEALTH CARE? ___ YES ___ NO

PRIMARY AGENT: _____
STREET ADDRESS: _____
CITY, STATE, ZIP: _____
TELEPHONE NO.: _____

ALTERNATE AGENT: _____
STREET ADDRESS: _____
CITY, STATE, ZIP: _____
TELEPHONE NO.: _____

- Authorize agent to donate organs for transplants? ___ YES ___ NO
- Authority to be limited to organ transplants, rather than giving broader authority to donate organs and tissue for other medical, educational or scientific purposes? ___ YES ___ NO
- Statement indicating desire to die at home rather than in a hospital ___ YES ___ NO

3. FUNERAL ARRANGEMENTS (OPTIONAL)

___ CREMATION
___ BURIAL WITH MILITARY HONORS
___ BURIAL AT SEA
___ BURIAL AT SPECIFIC PLACE _____
___ OTHER _____

4. SPRINGING DURABLE GENERAL POWER OF ATTORNEY:

Your will enables you to dispose of your property as you wish after your death. While you are living, you have the right to decide what happens to that property so long as you are of sound mind. But if you ever become incapacitated, whether through illness or accident, and are unable to handle your own affairs, a court order may revoke your right to manage your own money and appoint a guardian or conservator. To protect yourself from this eventuality, you can appoint an agent for yourself through a power of attorney.

A power of attorney is simply a written authorization for someone to act on your behalf, for whatever purpose you designate in writing. Ordinarily, a power of attorney expires if you become

WILL WORKSHEET

(Please Print Clearly)

mentally disabled – the time when you need help the most. A **springing durable** power of attorney can take effect when you **become** unable to manage your own personal and financial affairs and will last as long as you are alive or until you revoke it. As long as you are mentally competent, you can revoke a durable power of attorney whenever you like simply by destroying the document.

If you choose to have a springing durable general power of attorney, remember to name someone who you trust as your attorney-in-fact. Your attorney-in-fact will have great authority over your affairs. Not only can they keep your affairs in order, but they have the potential to abuse this document at your expense and his or her gain.

WOULD YOU LIKE A SPRINGING DURABLE GENERAL POWER OF ATTORNEY? _____ YES _____ NO

• DO YOU WANT YOUR SPOUSE TO ACT AS YOUR AGENT? _____ YES _____ NO

• UNLESS YOU HAVE SELECTED YOUR SPOUSE TO ACT AS YOUR AGENT **AND** YOUR SPOUSE HAS THE SAME ADDRESS YOU DO, PLEASE PROVIDE THE NAME, ADDRESS AND RELATIONSHIP OF YOUR CHOICE OF AGENT(S):

PRIMARY AGENT: _____
STREET ADDRESS: _____
CITY, STATE, ZIP: _____
TELEPHONE NO.: _____

ALTERNATE AGENT: _____
STREET ADDRESS: _____
CITY, STATE, ZIP: _____
TELEPHONE NO.: _____

• IF YOU WANT A SECOND AGENT, DO YOU WANT:

_____ both agents to have the authority to act separately.

_____ to require both agents to act jointly unless one is incapacitated.

_____ the second agent to be as a successor, acting only if the first choice is incapacitated.