

# WILL QUESTIONNAIRE

If you would like to proceed with making a Will, Durable Power of Attorney and/or Advance Health Care Directive, we would like to help make it easy for you. Too often people put off making a Will because they think the process will be cumbersome or inconvenient.

If you do not have questions and do not need estate tax planning advice at this time, you can fill out the questionnaire and either mail it, fax it to (302) 225-3392, or e-mail it to [wills@wardtaylor.com](mailto:wills@wardtaylor.com). We will prepare the documents and within fourteen days of receipt, we will call you to set up a meeting where we will discuss the documents, answer any questions you may have, make changes if needed, and sign the documents. In about 30 minutes you will leave with the finished product.

My staff and I will try our best to make this easy and convenient. Of course if you need tax planning advice or if this process is not right for you or if you would like more than a basic Will, please call so we can schedule an appointment to talk about your situation.

1. There will be provisions in the Will allowing you to make gifts of tangible personal property by making a list of the items to be given, identify the people who will receive the gifts, sign and date the list, and attach it to the Will. (On the list you cannot give money or intangible items of personal property that require a title or certificate or deed to show ownership, i.e., stock, automobile, real estate). You can change this list as often as you like without the formality of a Will signing.
2. All of your property that is not designated on the list is referred to as the "Remainder of your Estate". You must determine who will get the remainder. As with most choices for your Will, it is advisable that you make back-up selections in the event that the person is not alive at the time of your death. Hopefully, you will not need to use your Will for a very long time.
3. If you are married and you and your spouse are going to leave everything to each other and then to your children, this is referred to as a **Reciprocal Will**.
4. Are you and your spouse going to have a Reciprocal Will?    Yes    No

If the answer is "NO", please make a photocopy of this form so that each of you can fill it out separately. If the answer is "Yes", provide the information below.

Your Full Name:

Your Spouse's name if applicable:

Phone Number(s):

In the event that your spouse dies before you, who do you want to receive the remainder?

Name Relationship

Name Relationship

Name Relationship

In the event that one or more of the above people have predeceased you, do you want their share to be divided among the living people, or do you want their share to go to their estate and be divided amount their heirs?

Divided among the remaining living heirs Distributed to the deceased's estate

If none of the people listed above are alive at the time that I die, I want the remainder to go to the following:

Name Relationship

Name Relationship

Divided among the remaining living heirs Distributed to the deceased's estate

1. **Guardian**

If my children are under the age of 18 at the time of my death and a guardian is necessary, I request that the following person be appointed as guardian:

In the event that the about person is unable or unwilling to serve as guardian of my children, I appoint the following person to serve as guardian:

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## 2. Trust Provisions

If a portion of my estate is to go a minor (a person under 18) the money cannot go directly to that person but must be placed in Trust. The Trustee has the right to use the money for the health, education, maintenance and welfare of the beneficiary (the person who will eventually receive the money). You can have co-trustees if you like. Who would you like to have serve as Trustee?

If that person were unable or unwilling to serve as Trustee, who would you then like to have serve as Trustee?

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How old do you want the beneficiary to be when all of the funds are released? It could be anytime after the beneficiary reached the age of 18. Some people split the disbursement of the trust so that the child will receive a portion of the money at one age and the balance when they become older. For instance, the beneficiary could receive 50% of the trust at age 21 and the remaining 50% at age 25. What age would you like the beneficiary to be when they receive the trust?

Age	Percentage	Age	Percentage
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## 3. Executor

The Executor acts as the Administrator of you estate. He/she will be responsible for opening up estate bank accounts and for doing the legwork required for closing out your estate. Even if a lawyer is hired to administer the estate, the Executor will still perform certain functions or duties. Your surviving spouse can serve as your Executor/Executrix.

I would like the following person to serve as my Executor/Executrix:

If that person is unable or unwilling to serve, then I request the following Person to serve as my Executor/Executrix:

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## 4. Durable Power of Attorney

I would like to appoint the following person as my attorney-in-fact in my Durable Power of Attorney:

Yes    No    I would like this Power of Attorney to be effective immediately and continue if I lose capacity.

Yes    No    I would like this Power of Attorney to be effective **ONLY** if I lose capacity.

5    **Advance Health Care Directive (Living Will)**

I    Do    Do Not want my life prolonged if I have an incurable condition for which there is no reasonable medical expectation of recovery which will cause my death regardless of the use of life sustaining treatment. I designate

as my agent to make health care decisions for me. If he/she is not willing or not able to reasonably available to make health care decisions for me, then I designate

In the Advance Health Care Directive you give instructions regarding organ donations. This can be done at the time of our meeting.