

QUESTIONNAIRE

*Instructions: Please complete this questionnaire before your meeting with the attorney.
See the last page for explanations of legal terms in the questionnaire, which are marked with an asterisk (*).*

Name _____
(Your name as you want it to appear in your Last Will and related documents.)

Home address and county

Street _____
City, state and zip _____
County _____

Telephones Home _____ Work _____
Cell _____

Marital status _____ Married
_____ Unmarried with a domestic partner
_____ Single

Spouse/partner _____

| My children | <u>Child's name</u> | <u>Child's birth date</u> | Minor child's other parent <u>(if not your spouse)</u> |
|--------------------|---------------------|---------------------------|--|
| | _____ | _____ | _____ |
| | _____ | _____ | _____ |
| | _____ | _____ | _____ |
| | _____ | _____ | _____ |
| | _____ | _____ | _____ |

(If you have more children, please list them on the back of this form.)

My deceased children (if any)

| | <u>Name</u> | <u>Birthdate</u> |
|---|-------------|------------------|
| Stepchildren to treat as my "children" under my Last Will (if any) | _____ | _____ |
| | _____ | _____ |
| | _____ | _____ |

(List here only those stepchildren, if any, who you want to treat the same as your children under your Last Will. Do not list any other stepchildren.)

Additional children

Which of the following two statements is most true? (Choose one)
_____ I may have additional children (natural or adopted) in the future.
_____ I am certain I will not have any additional children in the future.

DISTRIBUTION OF MY ESTATE*

| | Description | Recipient |
|-------------------------------------|-------------|-----------|
| Gifts of cash or real estate | | |
| | | |

(Describe specific gifts, if any, of cash or real estate that you would like to make at death. Note that you may also make gifts of tangible personal property by a written statement. *)*

To whom do you want to give your remaining tangible personal property (after your gifts, if any, by a written statement)? (Check all that apply – numbers indicate beneficiaries' priority)*

Gift of my remaining tangible personal property*

___ 1) To my spouse/partner, if he/she survives me

___ 2) To my children

___ 3) To other beneficiaries (describe): _____

(Gift will be distributed to the beneficiary(ies) with the highest priority. Example: If you choose #1 and #2, your remaining tangible personal property will all go to your spouse/partner, if he/she survives you; if not, then it will all go to your children.)

To whom do you want to give the remainder of your property and how do you want it to be distributed? (Check all that apply – numbers indicate the beneficiaries' priority)

Gift of my remaining property

___ 1) To my spouse/partner, if he/she survives me

___ 2) To my children in equal shares

___ 3) To other beneficiaries in the following percentages:

| Beneficiary | Relationship | Percentage |
|-------------|--------------|------------|
| | | |
| | | |
| | | |
| | | |
| | | |

(Gift will be distributed to the beneficiary(ies) with the highest priority. See Example in preceding section. The share of a deceased child or other beneficiary will be divided among the descendants of the deceased child or beneficiary.)

Instructions for special distributions:

Unequal distribution to children: to make an unequal distribution to your children, skip #2, check #3, and there list your children and their percentage distributions.

Partial distribution* to a spouse/partner: to make a partial distribution* to your spouse/partner with the rest going to your children (such as your children from a prior marriage) as equal-priority beneficiaries, skip #1 and #2, check #3, and there list your spouse/partner and children and their percentage distributions.

Disinheritance List disinherited child(ren), if any: _____

MY FIDUCIARY* CHOICES

For each of the following fiduciaries (i.e., personal representative, guardian, financial agent, and health care agent), your choices will be asked to serve in the sequence shown, i.e., if your first choice cannot serve, then your second choice will be asked to serve, and so on.

My personal representative* (executor*)

Who do you choose to serve as the personal representative (executor) of your estate?

1) _____
2) _____
3) _____

Guardians* of my minor children (individuals or couples)

If you have any minor children (under 18), who do you choose to serve as their guardians, other than your spouse (or the child's other parent, if he/she is not now your spouse)?

1) _____
2) _____
3) _____

My financial agent*

Who do you choose to serve as your financial agent under your Power of Attorney*?

1) Name: _____

Address: _____

Telephone: _____

2) Name: _____

Address: _____

Telephone: _____

Who do you choose to serve as your health care agent under your Advance Health Care Directive*? **My health care agent***

1) Name: _____ Address: _____

Home: _____ Cell: _____ Work: _____

2) Name: _____

Address: _____

Home: _____ Cell: _____ Work: _____

ADDITIONAL QUESTIONS

Military service I ___ have / ___ have not ever served in the Armed Forces of the U.S.

Net worth My current net worth ___ does / ___ does not exceed \$500,000.

Explanation of Legal Terms in the Questionnaire

An **Advance health care directive** is a legal document in which you choose a *health care agent* to act on your behalf, set forth the extent of your health care agent's powers, and state your desires regarding when and under what circumstances life-sustaining medical treatment should be withheld or withdrawn from you.

Your **Estate** means the property you own at death.

Executor – see *Personal representative*.

Fiduciary refers to a trusted person who acts on behalf of another and includes a *personal representative, guardian, financial agent, and health care agent*.

Financial agent means a trusted person who you choose to manage your finances and make financial decisions for you when you are no longer capable of doing these things for yourself.

Guardian means a trusted person who you choose to care for your minor child(ren) (under 18) if both you and your minor child(ren)'s other parent are deceased. A guardian can also be chosen to care for a person over 18 who is adjudged to be legally incapacitated.

Health care agent means a trusted person who you choose to make medical decisions for you when you are no longer capable of making them for yourself. A health care agent will have access to your medical records if you lose health care decision-making capacity and will have any additional powers granted to them in your *Advance Health Care Directive*.

Partial distribution means a distribution under your Last Will to your surviving spouse of less than 100% of your estate. NOTE: a surviving spouse is legally entitled to an *elective share* of the deceased spouse's estate. A surviving spouse can sue for his or her elective share if the Last Will makes a distribution to the surviving spouse that is less than the surviving spouse's elective share.

Personal representative means a trusted person who you choose to administer your estate and make the gifts and distributions designated in your Last Will.

A **Power of attorney** is a legal document in which you choose a *financial agent* to act on your behalf and which sets forth the extent of the financial agent's powers.

Tangible personal property refers to items of personal and household property and includes motor vehicles, furniture and furnishings, appliances, clothing, jewelry, heirlooms, collections, guns, club

memberships, silverware, glassware, china, pets, books, pictures and other works of art, stamp collections, family memorabilia, etc.

Written statement means a written document signed by you or in your handwriting that describes (1) items of tangible personal property you wish to give at death and (2) the recipient of each item.