

**CYBER CENTER OF EXCELLENCE & FT. GORDON
OFFICE OF THE STAFF JUDGE ADVOCATE - LEGAL ASSISTANCE OFFICE
WILL WORKSHEET
BY APPOINTMENT ONLY
WILL EXECUTIONS: THURSDAY 1300 – 1500**

Welcome to the Cyber Center of Excellence and Ft. Gordon Legal Assistance Office. This worksheet will answer common questions concerning Wills. It will prepare you to discuss your needs and desires with an attorney, and provide a convenient form which to record important information. This worksheet starts the Will preparation process. After you complete it you will discuss your Will with an attorney. **IF YOU HAVE ANY QUESTIONS, WHICH ARE NOT ANSWERED BY THIS WORKSHEET, PLEASE DISCUSS THEM WITH AN ATTORNEY.**

WHAT IS A WILL? A Will is a legal document, which states your desires concerning what will happen to your property after your death. A Will also contains specific directions from you concerning who is to implement your instructions and perhaps, who will care for any minor children you may leave behind.

WHY SHOULD I HAVE A WILL? If you should die without a valid Will, the distribution of your property will be governed by the laws of your state of Legal Residence, and perhaps by the laws of the state in which you die. Your wishes usually won't be considered.

DOES MY WILL CONTROL ALL OF MY PROPERTY WHEN I DIE? No. For example, proceeds of insurance policies are distributed as you have designated in the insurance policy, and property that you own jointly with another person will normally go to the other joint owner.

PART A: PERSONAL DATA

DATE: _____

PRINT YOUR FULL NAME (FIRST, MIDDLE, LAST): (Please include any suffixes, e.g., Jr., Sr., III, etc.)

ADDRESS WHERE YOU PHYSICALLY RESIDE (NO P.O. BOX):

BEST TELEPHONE NUMBER TO CONTACT YOU: _____

LAST 4 SSN: _____ EMAIL ADDRESS: _____

MILITARY STATUS: () ACTIVE DUTY () RETIRED
() FAMILY MEMBER OF ACTIVE DUTY () FAMILY MEMBER OF RETIREE
() OTHER

BRANCH OF SERVICE: _____

HOME OF RECORD (STATE OF LEGAL RESIDENCE): _____

MARITAL STATUS: () NEVER MARRIED () DIVORCED
() MARRIED () WIDOWED

SPOUSE'S NAME: _____ U.S. Citizen? _____ Yes _____ No

IF YOU HAVE CHILDREN, PLEASE THEIR INFORMATION BELOW:

CHILD'S FULL NAME AGE M/F STATUS (NATURAL CHILD, STEPCHILD, ADOPTED, ETC.)

PART B: DISTRIBUTING YOUR BELONGINGS

HOW DO I GIVE MY BELONGINGS AWAY? Generally speaking, you may state in your Will that you are leaving your property to anyone you wish, although there are laws in some states which may give your spouse and/or your children a right to a portion of your property despite what you write in your Will. Most married couples leave all their property to their spouse, and, if their spouse does not outlive them, then to their children.

CAN I GIVE SPECIFIC GIFTS TO PEOPLE? Yes, these are called Specific Bequests and you may make them by fully describing what you want to give and the person who is to receive it. You should be careful about Specific Bequests. If you dispose of property that you describe, or if there is any doubt about the exact property that you described in your Will, you may be creating difficulties for your Personal Representative.

HOW DO YOU WANT TO LEAVE YOUR PROPERTY WHEN YOU DIE?

1. ALL TO SPOUSE
 OTHER: (FULL NAME(S) AND RELATIONSHIP TO YOU)
-

2. IF THE PERSON(S) NAMED IN #1 DOES NOT OUTLIVE YOU, THEN WHO DO YOU WANT TO HAVE YOUR PROPERTY?

- YOUR CHILDREN
 OTHER: (FULL NAME(S) AND RELATIONSHIP TO YOU)
-

3. IF THE PERSON(S) NAMED IN #2 DOES NOT OUTLIVE YOU, THEN WHO DO YOU WANT TO HAVE YOUR PROPERTY?

- YOUR GRANDCHILDREN
 OTHER: (FULL NAME(S) AND RELATIONSHIP TO YOU)
-

4. DO YOU WANT TO PLACE SPECIFIC BEQUESTS IN YOUR WILL?

5. DO YOU WISH TO DISINHERIT ANYONE? (FULL NAME(S) AND RELATIONSHIP TO YOU)

PART C: PERSONAL REPRESENTATIVE/(EXECUTOR)

WHAT IS A PERSONAL REPRESENTATIVE/EXECUTOR? A Personal Representative or Executor, is a person that you name in your Will who will distribute your belongings in accordance with what you say in your Will. Their job is to "settle" your estate. This includes paying any taxes or debts which you still owe when you die.

WHO SHOULD I PICK AS MY PERSONAL REPRESENTATIVE? Make sure that you pick someone who has good business judgment. It should be someone who you trust to make good decisions about your estate and who will not be overwhelmed by the process. Some people name their spouse as Personal Representative. Others name relatives or close friends.

PRIMARY REPRESENTATIVE: _____ RELATIONSHIP: _____

ALTERNATE REPRESENTATIVE: _____ RELATIONSHIP: _____

PART D: CARING FOR YOUR CHILDREN AFTER YOU ARE GONE
(IF YOU HAVE MINOR CHILDREN, COMPLETE PART D. IF NOT, CONTINUE TO PART E)

WHAT IS A GUARDIAN? A legal guardian is the person who will act as a parent for any of your children who are minors at the time of your death. Normally, if you are survived by your spouse, he or she becomes the children's guardian if he or she is the biological or adoptive parent of the children. However, it is recommended that you name a guardian and an alternate guardian in the event that both you and your spouse die. If you or your spouse have children not born of your current marriage, you should discuss the situation in detail with an attorney to determine the most appropriate way to provide for the children. If you wish to appoint a guardian of your children, list the guardian's name and their relationship to you.

PRIMARY GUARDIAN: _____ RELATIONSHIP: _____

ALTERNATE GUARDIAN: _____ RELATIONSHIP: _____

WHAT IS A TRUSTEE? A Trustee is the person who manages the property which you pass to your children upon your death. Often, the Trustee and alternate Trustee (if you wish to name an alternate) are the same individual(s) that you appointed as the Guardian and alternate Guardian, but can be someone different if you choose.

DO YOU WANT A TRUST? _____ YES _____ NO

IF "YES," PLEASE PROVIDE THE FULL NAME OF THE TRUSTEE AND THEIR RELATIONSHIP TO YOU.

PRIMARY TRUSTEE: _____ RELATIONSHIP: _____

ALTERNATE TRUSTEE: _____ RELATIONSHIP: _____

CHOOSING AN AGE OF FINAL DISTRIBUTION: At a certain age, your children/beneficiaries will be entitled to manage their inheritance on their own; this is when the trust "vests" or ends. You can determine at what age you consider the child/beneficiary to be ready for such a responsibility (i.e. at age eighteen (18), twenty-one (21), twenty-five (25), etc.)

WHAT AGE WOULD YOU LIKE TO SET FOR YOUR CHILD/BENEFICIARY'S TRUST TO VEST, OR END? _____

PART E: OTHER DOCUMENTS TO CONSIDER

LIVING WILL: A Living Will is a document which expresses your desire that extraordinary measures not be taken to save your life. It is a document used only when a person is determined to be in a state from which they are unlikely to recover, such as a vegetative state.

DO YOU WANT A LIVING WILL? _____ YES _____ NO

HEALTHCARE POWER OF ATTORNEY: A Healthcare Power of Attorney gives full legal power to the person named in the document to make healthcare decisions for you when you are no longer capable of making them for yourself.

DO YOU WANT A HEALTHCARE POWER OF ATTORNEY? _____ YES _____ NO

IF YOU DESIRE A LIVING WILL OR HEALTH CARE POWER OF ATTORNEY, PLEASE COMPLETE A THRU D.

A. DO YOU WISH TO AUTHORIZE THE DONATION OF ORGANS AND TISSUES FOR TRANSPLANT?
YES NO

B. DO YOU ALSO WISH TO AUTHORIZE THE DONATION OF ORGANS AND TISSUES FOR MEDICAL, SCIENTIFIC, AND OTHER SIMILAR PURPOSES?
YES NO

C. DO YOU WISH TO EXPRESS A DESIRE TO DIE IN YOUR HOME INSTEAD OF A HOSPITAL?
YES NO

D. PLEASE PROVIDE THE AGENT(S) NAME, ADDRESS, AND THEIR RELATIONSHIP TO YOU BELOW.

PRIMARY AGENT: _____ RELATIONSHIP: _____

ADDRESS & PHONE: _____

ALTERNATE AGENT: _____ RELATIONSHIP: _____

ADDRESS & PHONE: _____

POWER OF ATTORNEY: A Power of Attorney (POA) gives full legal power to the person named in the document to make decisions on your behalf. That means they can manage and conduct affairs and act in matters in your name and in your behalf. You will be held legally responsible for those things that you have authorized your agent to do for you. We strongly recommend that you only give such a document to someone you trust completely and that you have a good reason for doing so. There are two types of POAs – 1) “General,” which authorizes your agent to do all things in your name and behalf; and 2) “Special,” which authorizes your agent to do only those things that you specify.

DO YOU WANT A POWER OF ATTORNEY? _____ YES _____ NO

IF “YES,” PLEASE INDICATE WHAT TYPE:

GENERAL _____ (Complete Paragraph A below)

SPECIAL _____ (Complete Paragraphs A and B below)

A. AGENT(S) FOR POWER OF ATTORNEY:

() SPOUSE (PLEASE PROVIDE TELEPHONE NUMBER IF DIFFERENT FROM YOURS)

() OTHER

PRIMARY AGENT: _____ ADDRESS & PHONE: _____

ALTERNATE AGENT: _____ ADDRESS & PHONE: _____

B. LIST THE THINGS THAT YOU WANT YOUR AGENT TO DO (FOR SPECIAL POWERS OF ATTORNEY ONLY):

FUNERAL ARRANGEMENTS: Many people decide to prepay for funeral arrangements prior to their death. It is important that your family members are aware that you have prepaid for any aspect of your funeral. Any arrangements that have already been made can be addressed in your last will and testament. Also, as a military member or retiree you may be entitled to certain ceremonial benefits.

HAVE YOU PAID FOR ANY FUNERAL ARRANGMENTS: () YES () NO

I DESIRE THE FOLLOWING (CHECK ALL THAT APPLY)

_____ CREMATION

_____ BURIAL WITH FULL MILITARY HONORS

_____ BURIAL AT A SPECIFIC GRAVESITE/LOCATION: _____

LIST ANY OTHER SPECIFIC ARRANGMENTS YOU DESIRE: _____
