



# Will Questionnaire







## PLEASE PRINT

### Estate

Everything you own at your passing after payment of debts and taxes. You will make decisions regarding the percentage share of your estate you wish to give to your beneficiaries. And if you wish, you may leave specific items of property (car, investments, heirlooms, etc.) or sums of money to your beneficiaries.

### Will

A document which provides who is to receive your property, who will administer your estate, who will serve as guardian of your children, if applicable, and other provisions.

### Peace of Mind

The wonderful feeling you get as a LegalShield member after having your Will prepared by a qualified law firm at a reasonable price.

## FOR YOUR INFORMATION

### MEMBER AND SPOUSE FILLING OUT A SEPARATE FORM

In order to meet each person's unique needs, you must each fill out a Will Questionnaire

## Get Started!

1 2 3 4 5 6

## WHAT YOU'LL NEED TO FILL THIS OUT:

- Copy of your **Prenuptial Agreement** (if applicable)
- **Names and birth dates** of your **children** and **grandchildren** (if applicable)
- The **name and contact information** of the person you've chosen to be **guardian of your child(ren)**, the **trustee(s)** of their estate, and **your personal representative/executor**
- To best serve you in completing your Will for **estate tax purposes**, you'll be asked to provide the approximate **dollar amount** of such items as: your home, other real estate, bank accounts, vehicles, retirement plans, **and** life insurance policies.

## HELPFUL INFORMATION BEFORE YOU GET STARTED!

- This Will Questionnaire is NOT your Will. It will help your Provider Law Firm prepare your Will. All questions applicable to you MUST be completed in their entirety in order to have your Will prepared.
- If you need more space to answer a question, attach a separate sheet and indicate the question number to which it pertains.
- If you have questions while filling out this form, don't hesitate to call your Provider Law Firm at the number on your membership card.
- If you need the number to your firm, call Member Services at 1-800-654-7757 (7 am - 7 pm, Mon-Fri, Central Time).

1) Full name (**must** list first, middle, last)

\_\_\_\_\_

All other names by which you have been known:

\_\_\_\_\_

Membership Number \_\_\_\_\_

Age: \_\_\_\_ Date of Birth (DOB) \_\_\_\_\_ Sex  Male  Female

Are you a US citizen?  Yes or  No if no, country of citizenship \_\_\_\_\_

2) Current Residence

Street Address \_\_\_\_\_ City \_\_\_\_\_

County or Parish \_\_\_\_\_ ST \_\_\_\_\_ ZIP \_\_\_\_\_

Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_

3) If you are married, your spouse's full name (first, middle, last ,maiden) \_\_\_\_\_

DOB \_\_\_\_\_

Are you currently living with your present spouse?  Yes  No

4) Do you and your spouse have a Prenuptial Agreement which identifies and disposes of separate spousal property?  Yes  No  N/A

**If yes, attach copy with any filing data.**

\* Non-citizen estate taxation varies from taxation for US citizens

**FOR YOUR INFORMATION**

A great deal of personal information is requested in your Will Questionnaire. Without all of the information requested, your Provider Law Firm can't ensure your wishes will occur or that the most comprehensive estate planning options have been advised. All information you provide them will remain strictly confidential.

5) Have you or your spouse created any trusts or made gifts through trusts to others? If yes, describe and include a copy. If not applicable, go to question #7.

\_\_\_\_\_

\_\_\_\_\_

6) If you have children, including adopted children, state following for each child. If you do not have children, please go to question #15

Child 1:

First, Middle, Last Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Child 2:

First, Middle, Last Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Child 3:

First, Middle, Last Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

7) a. Deceased biological or legally adopted children if applicable:

Full name	Son/Daughter	Date of death

b. Deceased child's living children if applicable:

Full name (First, Middle, Last)	Minor/Adult	City, State	Parent's Name

8) If you have stepchildren, do you want them treated the same as your natural born or legally adopted children in your Will?  Y  N  N/A If yes, state the following for each

Child 1:

First, Middle, Last Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Child 2:

First, Middle, Last Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

9) a. Are any of your children or other beneficiaries mentally or physically disabled or have special needs?  Yes  No

b. If yes, please specify which child and/or beneficiary has special needs below:

\_\_\_\_\_

c. Does this person currently receive SSI benefits?  Yes  No

Note: if you leave a bequest, not left to a qualified trust, the recipient might be disqualified from SSI benefits.



**Dear LegalShield,**

*I'm writing to thank you for your firm's excellent preparation of my Last Will and Testament. [My lawyer] has been very professional, knowledgeable, and responsive to my calls and questions. Due to his excellent service, I am pleased to continue using LegalShield and to recommend it to friends, family, and business associates.*

**Sincerely,  
Florida Member**



in the event of one parent's death. Please call your Provider Law Firm for instructions for your state.

Note to Louisiana residents: Although the provision in a Will providing for a guardian of minor children is not binding in your state, it is highly persuasive in a proceeding for the appointment of a guardian and should be included in the Will of any person with minor children.

**trustee**

A person appointed to manage the financial affairs of the one who is legally incapable of doing so because of age or other incapacity.

**joint tenants with right of survivorship**

A single property owned by two or more persons, under one title, with equal rights to the property. At the death of one joint tenant, the property transfers to the surviving tenant.

10) If your children are under age eighteen (18), state the following for the person you wish to act as their **guardian** (custodian) in the event of your death or in case of the joint death and the death of the other parent(s) of your children. **You should first obtain the consent of that person(s) before listing their names below.**

If you do not have any minor children, please go to question #15.

Names(s) \_\_\_\_\_  
 Address \_\_\_\_\_  
 Relationship \_\_\_\_\_

If at the time of your death the person(s) named above is/are unwilling to serve as guardian(custodian), please list an alternate:

Name(s) \_\_\_\_\_  
 Address \_\_\_\_\_  
 Relationship \_\_\_\_\_

11) Do you want the appointed guardian also to be the **trustee** (conservator) of any assets inherited by the minor children?  Yes  No

At what age would you like your children to take control from the trustee of any inherited assets? (must be at least 18 years old.) \_\_\_\_\_ years old.

If no, please list the person or entity you wish to act as their financial custodian. You should obtain the consent of that person or entity before listing their names below.

Name(s) \_\_\_\_\_  
 Address \_\_\_\_\_  
 Relationship \_\_\_\_\_

Please list an alternate in case this person is unwilling or unable to serve:

Name(s) \_\_\_\_\_  
 Address \_\_\_\_\_  
 Relationship \_\_\_\_\_

12) Indicate how you want your assets to pass when you die.

**IF YOU ARE MARRIED**, unless your spouse has signed a pre-nuptial or post-nuptial agreement, or if you have assets that qualify as separate property, your spouse must receive fifty percent (50%) of your estate in order to comply with Nevada community property law. (Call your Nevada Provider Law Firm if you need an explanation as to the difference between separate and community property in Nevada).

If it is your desire to disinherit a family member who otherwise would be entitled to inherit from your estate under Nevada inheritance statutes, Nevada law requires you to meet with an independent attorney, (outside of your Nevada Provider Firm), for the purpose of ruling out the likelihood that any duress or undue influence was exerted upon you to disinherit the below named person(s). Failure to have an independent attorney make this determination could result in your Will being declared invalid.

Please check the ONE option you prefer:

**Option A** I want my assets to pass to my spouse and children as follows:

- If my spouse predeceases me, my assets will be divided in equal shares to my children.
- If any of my children predecease me, that child's share shall be distributed to his or her children in equal shares.
- In the event my spouse and all of my children and descendants fail to survive me, I want my assets to be distributed as follows:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Option B** I am unmarried with children and want my assets

- In equal shares to my children
- If one or more of my children predeceases me, that child's share in my estate is distributed to his or her children in equal shares.
- In the event all my descendants fail to survive me, I want my assets to be distributed as follows:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Option C** None of the above. I want my assets to pass as follows:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**PLEASE LIST THE FULL NAME AND ADDRESS FOR EACH PERSON RECEIVING ASSETS FROM YOUR ESTATE.**

**FOR YOUR INFORMATION**

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

If you own property jointly with another person as "joint tenants with right of survivorship," your interest in that property will pass to the survivor upon your death. It will not pass according to the terms of your Will. If you own property jointly with another person without right of survivorship, your interest in that property will pass according to the provisions in your Will.

Note: Idaho and Louisiana residents, contact your Provider Law Firm for information particular to your state.

**FOR YOUR INFORMATION**

**BENEFICIARY DESIGNATIONS**

You should know that decisions you have already made regarding title to property will determine distribution of that property in the future.

Will provisions cannot alter those decisions. A beneficiary designation is a binding contractual obligation and a Will provision will not alter that designation.

Beneficiary designations in life insurance policies, retirement plans, annuities, bank accounts with a named "Due on Death" (DOD) beneficiary, etc., will determine who receives those moneys upon your death, not your Will.

**FOR YOUR INFORMATION**

**MORTGAGED PROPERTY**

- If you leave to a named beneficiary real/immovable property which is mortgaged, that property will generally pass under your Will to the beneficiary subject to the debt secured by the mortgage.
- If you wish to leave the property free and clear of the mortgage debt, you must include a provision in your Will directing the debt to be paid from the other assets of your estate, provided sufficient assets are available.

Note: Louisiana residents, contact your Provider Law Firm for information particular to your state.

**health care power of attorney**

A legal document appointing a person the authority to make health care decisions on another person's behalf.

**physicians directive**

(also known as living will)

A legal document containing instructions for physicians regarding your life-support preferences.

**Personal representative/ executor**

The person appointed in a Will by the testator (person making the Will) to carry out the terms of the Will.

**fiduciary bond**

A type of surety bond required by the court to be filed by executors, guardians, etc., to ensure proper performance of their duties as an executor. Typically waived, especially when a spouse or family member is appointed executor.

**FOR YOUR INFORMATION**

**FUNERAL ARRANGEMENTS**

Rather than including your funeral wishes in your Will, which often isn't read until after your funeral, it's best to make your wishes known to loved ones in writing prior to your death.

**Almost Done!!**

13) Do you wish to disinherit any children or grandchildren? If so list their names here. If not applicable, please go to question #15

Note: In certain states it is not possible to completely disinherit a spouse or minor child. Please contact your Provider Law Firm for more information. If it is your desire to disinherit a family member who would otherwise be entitled to inherit from your estate under Nevada inheritance statutes, Nevada law requires you to meet with an independent attorney for the purpose of ruling out the likelihood that you were under no duress or undue influence to disinherit the below named person(s). Failure to do so could result in your will being found to be invalid.

14) Execution of a Will is the best way to determine how your property will be distributed. However, it cannot address important issues regarding health care decisions. Your Provider Law Firm will send you a Health Care Power of Attorney, along with instructions on how to complete it, and a Physician's Directive. (Please see definitions for those terms to the left).

15) You MUST complete this section in order for your Nevada Provider Firm Provider Firm to prepare your Will. If married, do you want your spouse to serve as your personal representative/executor? (See definition for those terms to the left).  Yes  No .

If married, please provide the name(s) of one (1), preferably two (2), alternate personal representatives/executors below. If you are not married or if you wish to appoint someone other than your spouse, please provide the name of your personal representative/executor and one alternate personal representative/executor below.

Alternate personal representatives/executors are highly recommended. If your spouse or the principal person you have named is unable or unwilling to act as your personal representative/executor, for whatever reason, the alternate you have chosen will be able to act on your behalf.

Note: If you wish to name a non-U.S. resident or a non-Nevada resident please contact your Provider Firm

Full name \_\_\_\_\_

Address \_\_\_\_\_

Relationship \_\_\_\_\_

Please list an alternate in case this person is unwilling or unable to serve:

Full name \_\_\_\_\_

Address \_\_\_\_\_

Relationship \_\_\_\_\_

Do you wish to waive the fiduciary bond requirement?  Yes  No

16) Many people make special provisions for family heirlooms, jewelry, or other items of special value to be distributed to friends or relatives. If you have such property and would like to leave it to a specific person, please complete the following. **Note: In question #12 you indicated how you would like your assets to pass. Please fill out question #16 ONLY if you desire items with specific or sentimental value be left to a specific person. (Include a separate sheet of paper if necessary.)**

**Your Nevada Provider Law Firm can provide you with a separate form which may be used instead of making specific bequests in your Will. Use of that form will eliminate the need to update your Will in the event you change your mind as to who should receive specific items from your estate. Please indicate below if you would prefer to use that form. We also recommend use of that form, if the number of specific bequests you are making exceeds five (5) or six (6). If not using the form, just list the items as indicated below.**

Item	Special Identifying Features	Recipient
_____	_____	_____
_____	_____	_____
_____	_____	_____

17) **If the net value of your assets which are covered by your Will exceeds \$100,000.00, then in order to avoid high and attorney's fees and probate costs, we recommend you consider having a living trust prepared. Please call your Nevada Provider Law Firm to get additional information on preparing a living trust for you. Please note: your assets that are covered by your Will are as follows:**

- A. Real property that you either own outright or are buying;**
- B. Cash in savings and checking accounts in banks;**
- C. Stocks and bonds that you own separately and which are not in a 401k, an individual retirement account (IRA), an annuity, etc. (Also proceeds from a life insurance policy or policies are not considered part of your estate for probate purposes);**
- D. The net value of all motor vehicles you own or are buying; and,**
- F. Any interest you may have in a closely held, (not publically traded), company.**

**Confirmation of information and instructions:**

I confirm the information provided by me in this form is complete and accurate and the instructions I have provided reflect my wishes:

Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

Date \_\_\_\_\_ Phone number to call if questions \_\_\_\_\_

**You have now completed your Will Questionnaire! Please see instructions on the next page for final steps on how to get your Will prepared.**

**FOR YOUR INFORMATION**

**STATE INHERITANCE TAXES**

Your estate could be subject to state inheritance tax even if it isn't subject to federal taxation. Please ask your Provider Law Firm for further clarification.

**probate**

The judicial determination of the validity of a Will.

**FOR YOUR INFORMATION**

**FEDERAL ESTATE TAXES**

Your taxable estate may include all life insurance on your life and all joint tenancy property. Tax laws are constantly changing. If your taxable estate is larger than \$1,000,000 you should consult with your Provider Law Firm regarding advanced tax planning tools available at a discounted rate.

**FOR YOUR INFORMATION**

**PROBATE**

Many people think that if their loved one had a Will prepared, they will be able to avoid the probate process. This is not necessarily the case. Please ask your Provider Law Firm for details about your state.



# Your LegalShield Plan Will Questionnaire

## To have your Will prepared:

### **1 After completing the Will Questionnaire, mail it to your Provider Law Firm.**

If you need to include additional information to this questionnaire, please include a separate sheet of paper. Your membership guide contains a preaddressed envelope for mailing your questionnaire to your Provider Law Firm. If you need your Provider Law Firm's address, please call their number on your membership card, or call Member Services toll-free at 1-800-654- 7757. Use one stamp for each Will Questionnaire you send in.

They will prepare your Last Will & Testament based on the confidential information you provide in your Will Questionnaire. If they need additional information from you while completing your Will, they'll call you.

### **2 Your Provider Law Firm should mail you your completed Will within ten (10) business days of when they receive your completed Will Questionnaire.**

You'll also receive instructions from your Provider Law Firm on how to have your Will finalized.

### **3 Safeguard your Will and make a copy for your executor.**

Store your Will in a safe place with other important legal documents. Please remember that you—not your Provider Law Firm—are responsible for the safekeeping of your Will.

Contracts issued by:

**Pre-Paid Legal Services, Inc., and subsidiaries:**

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