

WILL QUESTIONNAIRE

GENERAL INFORMATION CONCERNING THE PREPARATION OF YOUR WILL

In making decisions concerning preparation of your Will, you should be aware of the following:

1. Federal estate tax considerations often cause people to make Will provisions which they would not otherwise make. If you have a taxable estate having a market value in excess of \$650,000 at the time of your death, your estate may be subject to estate tax at your death or later at the death of your spouse. Your taxable estate includes all life insurance on your life and all joint tenancy property. Federal estate tax exemptions are scheduled to increase, this fact may lessen potential inheritance tax liability in the future. Therefore, seeking the advice of an attorney may help you to structure Will provisions to maximize tax-saving benefits.
2. If you own property jointly with another person as "joint tenants with right of survivorship," then 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, then your interest in that property will pass according to the provisions in your Will. Beneficiary designations in life insurance policies, retirement plans, annuities, etc., will determine who receives those moneys upon your death, not the provisions of your Will. 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.
3. If you leave to a named beneficiary real 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 real 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.
4. Your estate could be subject to state inheritance tax even if it isn't subject to federal taxation. Please call your Provider Attorney for further clarification.

TYPICAL ESTATE PLANS

Most Wills contain the following provisions depending upon the marital and family status of the Testator (the person making the Will):

1. A married Testator with children usually provides that the spouse will receive all of the estate, and if not survived by the spouse, then it will be given equally to their children with the share of any deceased child going to their children (the testator's grandchildren). If there are no children, then usually provision is made for other relatives. Under certain state laws, without a Will the surviving spouse will probably have to share the estate with children or other relatives. Furthermore, a surviving spouse may be entitled, regardless of the Will provisions, to a share of the estate which, depending on family circumstances, can be as great as one-half (1/2) of the estate.

2. If there are no children, then usually provision is made for other relatives. Certain state laws do not require that any provision be made for children or other relatives; however, it is advisable, and required by some states, to clearly state that a particular child or children are disinherited.
3. A Testator with minor children usually provides that in the event that the other parent predeceases him or her, it is his or her desire that some named person serve as the guardian and/or conservator of the minor child or children. Although this provision is not binding, it is highly persuasive in a proceeding for the appointment of a guardian, and should be included in the Will of any Testator with minor children. A Guardianship terminates when a child reaches age eighteen (18). The estate or property will be administered by a trustee (conservator) until the children reach maturity. A conservatorship need not terminate when a child reaches eighteen (18) years of age; it can continue according to your wishes.
4. If either the Testator or the spouse has children by a prior marriage or relationship, then direct consultation with your Provider Attorney is advisable to determine what options you and your spouse have available. A copy of any pre-nuptial agreement should be given to the Provider Attorney with your Will Questionnaire.
5. A Testator must name a Personal Representative or Executor to manage and distribute the estate according to the terms of the Will. More than one Personal Representative may be appointed. A non-resident of the state may be appointed although the distance could present some practical problems. Ordinarily a surviving spouse, mature child or other relative are good choices. Unless otherwise provided, the Personal Representative may be required to post a good faith bond to protect the estate against mismanagement by the Personal Representative. Usually a Testator selects a person to serve who is trustworthy and therefore may wish to waive the requirement of a bond and provide for somewhat more expansive powers to reduce expense to the estate.
6. A Testator may wish to give certain items of personal property (such as family heirlooms) to specific persons. This is called a "specific bequest." Please check with your Provider Attorney about the laws in your state.

The information requested below is essential in preparing your Will. If more space is needed to answer a question, attach a separate sheet and indicate the question number to which it pertains.

1. State your full name: _____

First	Middle	Last
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 - a. State all other names or "nicknames" by which you have been known:

 - b. Social Security Number: _____
 - c. Age: _____ Date of Birth: _____
 - d. Sex: _____
2. State your current residence:
 - a. Street Address: _____
 - b. City: _____ County or Parish: _____

c. State: _____ Zip Code: _____

d. Telephone: Residence: _____ Work: _____

3. If you are married, state your spouse's full name:

First	Middle	Last
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a. Spouse's Address: _____

b. Spouse's Social Security Number: _____

c. Spouse's Age: _____ Date of Birth: _____

4. Date of Marriage (if married): _____

a. Place of Marriage: _____

b. Member's/Spouse's Maiden Name: _____

c. Are you currently living with present spouse? Yes _____ No _____

5. Prior Marriage:

a. Has either spouse been divorced? _____

b. Date of Marriage: _____

c. Date of Divorce Judgment: _____

d. Court Rendering Judgment: _____

e. Date of Spouse's death (if applicable): _____

6. If you have children with your present spouse, state the following for all children:

Full Name	Son/Daughter	Date of Birth	Marital Status	Living (Yes/No)
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7. Name and date of death of a deceased child or children:

Full Name	Son/Daughter	Date of Death
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Name of his or her living children:

Full Name	Son/Daughter	Date of Birth	Address
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8. If you have children from a prior marriage, state the following for all children:

Full Name	Son/Daughter	Date of Birth	Marital Status	Living (Yes/No)
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9. If you have grandchildren, state the following:

Full Name & Parents' Names	Grandson/Granddaughter	Date of Birth	Marital Status	Living (Y/N)
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10. If your spouse's grandchildren are different from above, state the following:

Full Name & Parents' Names	Grandson/Granddaughter	Date of Birth	Marital Status	Living (Y/N)
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11. Do you and your spouse have a Pre-Nuptial Agreement which identifies and disposes of separate spousal property?

(If yes, attach copy with any filing data.)

Yes _____ No _____

12. Are there any special circumstances concerning your children, such as adoption, disabilities, etc?
Please explain:

13. Have you made gifts in any one year with a value greater than \$10,000.00? If yes, describe:

14. Are you or your spouse the Trustee of any Trust, Guardian of any Minors, or Executor of any Estate? If yes, describe:

15. Have you or your spouse created any trusts or made gifts to any trusts? If yes, describe:

16. Do you or your spouse expect any inheritance? If so, state from whom and how much:

17. Do you wish to disinherit any child or grandchild? If so, you must list their names here. (Please see instructions concerning disinheriting your spouse on first page.):

18. State the location and box number of any safety deposit boxes and who is permitted to enter the box:

19. Assets:

	Value	Joint or Marital Property	Husband's Separate Property	Wife's Separate Property
a. Home				
b. Other Real Estate:				
1.				
2.				
3.				
c. Checking Accounts:				
1.				
2.				
3.				
d. Savings Accounts and Certificates:				
1.				
2.				

	Value	Joint or Marital Property	Husband's Separate Property	Wife's Separate Property
3.				
e. Credit Union Accounts				
f. Annuities				
g. Oil, Gas or Other Minerals				
h. U.S. Savings Bonds				
i. Other Bonds				
j. Stock				
k. Accounts Receivable				
l. Rents Receivable				
m. Notes Receivable				
n. Automobiles and Other Vehicles:				
1.				
2.				
3.				
o. Interest in any Business				
p. Sub Chapter 'S' Business				
q. Tools and Firearms				
r. Antiques				
s. Jewelry				
t. Household Furniture and Furnishings				
u. Other Household Contents (Dishes, etc.)				
v. Collections (Coins, Stamps, Paintings, etc.)				
w. Interest in any Lawsuit				
x. Other Claims or Intangibles				
y. Escrows or Deposits				
z. Deferred Compensation Plans				
Aa. Interest under any Executory Contracts				
Bb. Miscellaneous				
Cc. Life Insurance Policies				
Dd. Qualified Retirement Plans				
TOTALS				

20. Debts:	Value	Joint or Marital Property	Husband's Separate Property	Wife's Separate Property
a. Mortgages on Home, Car, etc.				
b. Signature Loan at Bank				
c. Current Debts (Utilities, etc.)				
d. Medical or Other Expenses				
e. Other Debts				
f. Contingent Liabilities				
TOTALS				

21. Please indicate, by checking the appropriate option, how you want your assets to pass when you die (see page 1 for typical estate plans):

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

To spouse, if surviving.

If my spouse predeceases me, my assets will be divided in equal shares among 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 that 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 to pass:**

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 of my children and descendants fail to survive me, I want my assets to be distributed as follows:

_____ **Option C. I am unmarried and have no children. I want my assets to pass in equal shares as follows:**

Full Name

Address

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

22. 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 wish it left to a specific person, please complete the following. NOTE: If you have chosen Option 'A' under item number 21, you have indicated by your selection that the items described above will pass to your spouse and/or children. Complete number 22 ONLY if you desire such items of specific value to be left to person(s) other than those set forth under Option 'A' of number 21.

ITEM

SPECIAL IDENTIFYING FEATURES

RECIPIENT

23. If your children are under age 18; state the full name, address and relationship (if any) of the person you wish to act as their guardian (custodian) in the event of your death (in the case of a single parent) or in case of the joint death of you and your spouse (if married). You should obtain the consent of that person(s) before executing your Will.

a. Name(s): _____

b. Address: _____

c. City: _____ County or Parish: _____

d. State: _____ Zip Code: _____

e. Relationship (if any): _____

f. Please make special provisions for any mentally disabled children:

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

g. Name(s): _____

h. Address: _____

i. Relationship (if any): _____

24. Do you want the appointed guardian to also be the trustee (conservator) of any assets inherited by the minor children? Yes _____ No _____
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 executing your will:

a. Name(s): _____

b. Address: _____

c. City: _____ County or Parish: _____

d. State: _____ Zip Code: _____

e. Relationship (if any): _____

f. At what age would you like your children, rather than the trustee, to manage any inherited assets (must be at least 18)? _____ years old

If the person or entity listed above is unwilling or unable to serve as financial trustee, please list an alternate:

g. Name(s): _____

h. Address: _____

i. City: _____ County or Parish: _____

j. State: _____ Zip Code: _____

k. Relationship (if any): _____

25. The person charged with administering your estate, paying taxes and other debts, marshalling, preserving, and managing estate assets and property is called a personal representative (executor). State the name and address of the person you wish to serve in this role (he or she must be a United States resident).

a. Full Name: _____

b. Address: _____

If the person listed above is unwilling or unable to serve as personal representative, please list an alternate:

c. Full Name: _____

d. Address: _____

e. Do you wish to waive the bond requirement? Yes _____ No _____

*** Note: Missouri Residents**

Under Missouri law, the Personal Representative serves with Court supervision. Certain actions can be taken by your Personal Representative only after obtaining Court approval, including the sale or transfer of any real estate which is part of your estate. However, you can waive certain Court supervision by electing "Independent Administration" of your estate. By electing "Independent Administration" the expenses associated with probate administration may be lessened. However, because there is less Court supervision, there is a greater chance of dishonesty by the Personal Representative and he or she must secure the service of an attorney on legal questions arising in connection with the administration of the estate.

Do you wish to elect "Independent Administration" for your Missouri estate?

Yes _____ No _____

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. You may want to discuss the functions of a Durable Power of Attorney and a Living Will with your Provider Attorney.

*If there is any information you feel would aid us in preparing your Will, please write it on a separate sheet of paper and attach it to this questionnaire.

DEFINITIONS

BENEFICIARY - the person named by the testator of the will who receives property, funds, etc.

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

EXECUTOR (PERSONAL REPRESENTATIVE) - the person appointed in a will by the testator to carry out the terms of that will.

FIDUCIARY BOND - a type of surety bond required by the court to be filed by executors, guardians, etc., to insure proper performance of their duties.

GUARDIAN - a person lawfully invested with the power, and charged with the duty, of taking care of the person who is incapable of doing so because of age or other incapacity.

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP - an estate in property acquired by purchase or grant to two or more persons thereby creating one and the same interest. The entire tenancy on the decease of any joint tenant remains with the surviving tenant.

MARITAL PROPERTY - property purchased by persons while married to each other.

TESTATOR - the person making the will.