

Ditchen & Associates Law Firm



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Legal Plan, if applicable (leave blank if you do not have a legal plan):

Plan name: _____

Member name: _____

Last four of SS #: _____

Membership #: _____

Intake or Case number, if applicable:

Individual Will Worksheet

The person making a will is known as the **Testator**. The person or persons who inherit the Testator's property are known as the **Beneficiaries**. The person who is responsible for seeing that the terms of the will are carried out is known as the **Personal Representative**. If a trust is created in the will (usually for minor children), the person who holds and manages property for the benefit of the children is the **Trustee**. Also in the case of minor children, the person who has physical custody of them (in the event of the death of both parents) is known as the **Guardian**. The Personal Representative, trustee, and guardian can all be the same person or the Testator may designate different persons for different tasks. The Testator may also designate more than one person to act as Co-Personal Representatives, Co-Trustees, or Co-Guardians.

A typical estate plan for an individual who has minor children is to leave everything to a Trustee for the benefit of the minor children or grandchildren until they reach a certain age (18, 21, 25, etc.). A more sophisticated estate plan is required for persons who have large estates (generally defined as being in excess of \$5,000,000 inclusive of life insurance proceeds and all property).

Does your total estate including retirement and insurance proceeds, exceed \$5,000,000? **Yes** **No**

Please print or type the following requested information for the creation of your will package:

Complete Legal Name: _____

Date of Birth: _____

Home Address: _____

City _____ State _____ Zip Code _____ County of Residence: _____

Contact Information:

Home Number: _____ Work Number: _____

Cell Number: _____ E-Mail Address: _____

Preferred Method of Contact: _____



Living Children

Children Complete Legal Name

Date of Birth

Deceased Children

Children Complete Legal Name

Date of Birth

Date of Death

Will Provisions

Burial or Cremation Preferences

Burial or Cremation?

Burial

Cremation

Do you wish to donate your organs?

Yes

No

Specific Place for Burial or Disposition of Ashes?

Burial next to _____

Ashes Interred next to _____

Ashes Scattered in _____

Other _____

Other specific Burial or Cremation Requests, if any:



Tangible Personal Property

General Gift of All Tangible Personal Property (Tangible Personal Property includes: furniture, furnishings, clothing, jewelry, china, silver, crystal, automobiles, boats, collectibles, etc.)

Note: We typically add a paragraph in the will stating: "I may leave among my personal papers a memorandum identifying certain items of my tangible personal property for distribution at my death to one or more persons . . ."

	Preferences	Comments
All Tangible Personal Property goes to Children in equal shares, and if Children are deceased, then to their Children	Check to Choose This Option	
All Tangible Personal Property Goes to Children and if a Child is deceased, then the remaining survivors shall split that child's portion.	Check to Choose This Option	
All Tangible Personal Property shall be split as indicated.	Check to Choose This Option % ___ to: _____ % ___ to: _____ % ___ to: _____ % ___ to: _____	
If one of the beneficiaries is deceased, then their portion shall go to successor beneficiary listed.	Successor beneficiaries: _____ _____ _____	
Other: Please indicate your own preferences for who should receive your Tangible Personal Property. Please provide details in comments section.	Check to Choose This Option	

Gifts of Specific Items of Tangible Personal Property

Please list any Tangible Personal Property that you want to go to a specific child or other beneficiary.

Description of Personal Property Item	Name of Beneficiary	City and State Where Beneficiary Resides	Relationship to Beneficiary

Attach an additional sheet if you need to list more items of Tangible Personal Property.



Real Property (Real Estate)

General Gift of All Real Property

This includes your principal residence and all other real estate you own (e.g., vacation home, investment property, etc.)

	Preferences	Comments
All Real Property goes to Children in equal shares, and if Children are deceased, then to their Children.	Check to Choose This Option	
All Real Property goes to Children and if a Child is deceased, then the remaining survivors shall split that Child's portion.	Check to Choose This Option	
All Real Property shall be split as indicated: If one of the beneficiaries is deceased, then I wish for their portion shall go to the successor beneficiary listed:	Check to Choose This Option _____ % to: _____ _____ % to: _____ _____ % to: _____ _____ % to: _____ Successor beneficiaries: _____ _____ _____	
I wish for the property to be sold and added to my residue estate:	Check to Choose This Option	
Other: Please list your own preferences for who should receive your Real Property. Please provide details in the comments section.	Check to Choose This Option	



Residue

Residue includes all other assets passing under your will, as part of your probate estate such as bank or brokerage accounts in your individual name, and stocks or bonds in your individual name.

	Preferences	Comments
All Residue goes to Children in equal shares, and if Children Are deceased, then to their Children.	Check to choose this option	
All Residue goes to Children and if a Child is deceased, then the remaining survivors shall split that Child's portion.	Check to choose this option	
All Residue shall be split as indicated: If one of the beneficiaries is deceased, then their portion shall go to the Successor beneficiary listed.	Check to choose this option % to: _____ % to: _____ % to: _____ % to: _____ Successor beneficiaries: _____ _____ _____	
Other: Please list your own preferences for who should receive your residue. Please provide details in the comments section.	Check to choose this option	
Place residue in a Trust. Please provide details in the comments section.	Check to choose this option	

What if all Tangible, Real Estate and Residue beneficiaries (e.g. Your Children, grandchildren and Specific beneficiaries) die before receiving the principal? Who should receive the remaining Assets?

My closest living heirs-at-law, under Georgia law

Specify list of beneficiaries and amounts or percentages to each: _____



Terms of Trusts (only if applicable to your estate plan)

Typically, we include a trust for any will that includes young children. If you have chosen to include Trusts in your estate plan, please make one the following additional choices. **Note:** We recommend using the age of 25 as the youngest age to start with.

All in One Payment	Two Payments	Three Payments
Age for Payment _____	Age for 1 st Payment _____	Age for 1 st Payment _____
	Percentage of Total Paid in 1 st Payment _____ %	Percentage of Total Paid in 1 st Payment _____ %
	Age for 2 nd Payment _____	Age for 2 nd Payment _____
	Percentage of Total Paid in 2 nd Payment _____ %	Percentage of Total Paid in 2 nd Payment _____ %
	Payment <u>Entire Remainder</u>	Age for 3rd Payment _____
		Percentage of Total Paid in 3rd Payment _____ %
		Payment <u>Entire Remainder</u>

What if all Trust beneficiaries (e.g. your children) die before receiving the entire Trust principal? Who should receive any remaining Trust Assets?

The Trust beneficiary's estate.

To the Trust beneficiary's descendants and if no children, revert back to the residue section in my will.

My Closest living heirs-at-law, under Georgia law

Specify list of beneficiaries and amounts or percentages to each: _____

Please list who you would nominate for the following positions and their relationship to you.

	Designee	Relationship to you
Personal Representative(s)a/k/a Executor		
Alternate Personal Representative(s)		
Trustee (s)		
Alternate Trustee (s)		
Guardian (s)		
Alternate Guardian(s)		



Advance Directive and Power of Attorney

In addition to a will, we can prepare an **Advance Directive for Health Care**, which combines the two documents that were formerly executed as a living will and a durable health care power of attorney, into one form. We can also prepare a General Power of Attorney. The Advance Directive provides for an enforceable expression of your desire not to be sustained on life support systems if you are in a terminal condition and unable to speak for yourself and expresses your wishes in the face of the need for life sustaining treatment or resuscitation. It also appoints someone to act as your health care agent in the event you cannot speak for yourself. It allows someone to “step into your shoes” to manage anything health care related on your behalf (including access to medical records).

The **General Power of Attorney** gives to another individual the broadest possible legal authority to act in your name, if you are incapacitated (for example, if you were temporarily disabled and needed someone to pay your bills in the interim). It can be drafted to be immediately effective or only in the event of your subsequent incompetence or disability.

If you wish to have an **Advanced Directive**, please designate the individual (agent) that you wish to make health care decisions, and a successor *if so desired*:

Designee Name: _____

Address: _____

Phone Number(s) Home: _____ Work: _____ Cell: _____

Email Address: _____

Successor #1 Name: _____

Address: _____

Phone Number(s) Home: _____ Work: _____ Cell: _____

Email Address: _____

If you wish to have a **General Power of Attorney**, please designate the individual you wish to act as your agent and a successor, if so desired:

Designee Name: _____

Address: _____

Phone Number(s) Home: _____ Work: _____ Cell: _____

Email Address: _____



Successor #1 Name: _____

Address: _____

Designate Phone Number(s) Home: _____ Work: _____ Cell: _____

Email Address: _____

Do you wish for your Power of Attorney to be (choose one):

Effective Immediately

Effective only upon your future incapacity or inability to act on your own behalf

Asset Allocation

Please check all assets that are applicable:

Primary Residence	
Other Real Property	
IRA (s)	
401k	
Checking Account (s)	
Savings Account (s)	
Money Market Account (s)	
Stocks/Bonds/ Mutual Funds	
Pension (s)	
Deferred Compensation	
Life Insurance	
Annuity (s)	
CD's	
Stock Options	
Vehicle (s)	
Business Interest	
Valuable Tangible Personal Property	
Inheritance Anticipated /Received	
Other	