

FORT BENNING LEGAL ASSISTANCE DIVISION BASIC ESTATE PLANNING QUESTIONNAIRE

PERSONAL INFORMATION

Marital status:	<input type="checkbox"/> Single	<input type="checkbox"/> Married	<input type="checkbox"/> Separated or about to divorce	<input type="checkbox"/> Divorced	<input type="checkbox"/> Widowed
Name (first, middle, last):					
Name of spouse if married or separated (first, middle, last):					
Status:	<input type="checkbox"/> Active duty	<input type="checkbox"/> Retired	<input type="checkbox"/> Family member - active duty	<input type="checkbox"/> Family member - retiree	<input type="checkbox"/> Other
					Rank:
State of legal residence:					

FOR CLIENTS WITH CHILDREN

Full name of child (first, middle, last)	Age	T=From this marriage P=Previous marriage A=Adopted S=Stepchild	Child's gender

If you have adopted or step-children, do you want your will to state that they are to be treated under your will like natural born children? **yes** **no**

WHO DO YOU WANT TO TAKE CARE OF YOUR PERSONAL MATTERS AFTER YOUR DEATH?

Executor (also known as Personal Representative): This person is your first choice to settle your estate.

Full name and relationship:
City and state where individual lives:

Alternate Executor: This person is your second choice to settle your estate, if your first choice dies or is unwilling to serve.

Full name and relationship:
City and state where individual lives:

WHO DO YOU WANT TO RECEIVE YOUR PROPERTY AFTER YOUR DEATH?

Primary Beneficiary or Beneficiaries

check here if you want your spouse to get everything, and if your spouse dies, then equally to your children.

NOTE: you may select this option if you and your spouse do not currently have children, but think you may have children in the future.

If you did not check the box above, please complete the grid below.

Name of person (first, middle, last)	Relationship	Percentage (must add to 100%)

Alternate Beneficiary or Beneficiaries

Who do you want to receive your estate if the primary beneficiary or beneficiaries do not survive you?

Name of person (first, middle, last)	Relationship	Percentage (must add to 100%)

Disinheriting

Is there any person that you specifically do not want to receive anything from your estate? If yes, list name(s) & relationship:

WHO DO YOU WANT TO RAISE YOUR CHILDREN?

GUARDIAN OF THE PERSON: This person will raise your children in the event of your death. The guardian with whom the child lives is called the *guardian of the person*, and does not have to be the same person who manages the child's money.

Primary Guardian: This person is your first choice to serve as guardian.

Full name and relationship:
City and state where the individual lives:

Alternate Guardian: This person is your second choice to serve as guardian, if your first choice dies or is unwilling to serve.

Full name and relationship:
City and state where the individual lives:

LEAVING PROPERTY FOR MINOR CHILDREN

If you leave money to minor children without further instructions, the money will be placed in a guardianship *of the property*. An adult, who need not be the same person as the *guardian of the person*, will hold the money for the children until they reach the age of majority under state law, which is usually age 18. Money is then distributed in one lump sum.

The alternative is a trust. This allows you to select an age of distribution that is older than the state's age of majority, or to distribute the money in more than one installment.

If you do not mind the children receiving the money in one lump sum at the age of majority, you do not need to establish a trust. If you want the children to receive the money in installments or at an age above the age of majority, you need to establish a trust. Under both systems, the adult can use the money throughout your children's lives for their health, education, and other needs.

Do you want to establish a trust for your children in your will? **yes** **no**

Money in the trust is to be distributed as follows (choose one):

give it to my children in one lump sum at age _____

give it to my children in installments as follows (choose one):

1/2 at 21 and 1/2 at 25; or 1/3 at 21; 1/3 at 25; and 1/3 at 30, or 1/3 at 25; 1/3 at 30; 1/3 at 35

TRUSTEE: Generally speaking, the trustee should *not* be one of the older children, or anyone else who may share in the property, as this may cause conflict each time they make a decision.

Trustee: This person is your first choice to serve as trustee.

Full name and relationship:
City and state where the individual lives:

Alternate Trustee: This person is your second choice to serve as trustee, if your first choice dies or is unwilling to serve.

Full name and relationship:
City and state where the individual lives: