

Will Questionnaire

Well done for thinking about your Will! A Will is the best way to make your intentions absolutely clear and to provide for your loved ones.

This questionnaire is designed to help you with making your Will. Please complete it as fully as possible ahead of the meeting. We will also guide you through the formalities to ensure that your Will is valid and to minimise the risk that it may be challenged in the future.

To help minimise delays, please give the **full name, current address and confirm if and how you are related to any person** you refer to when answering a question.

1. Your Full Name (including any middle names)

2. Date of Birth

3. Your Current Address

3a. Telephone Number(s):

3b. Email:

4. Are you? Single / Married / Divorced / Widowed / Living with partner [Please circle]

If more than one applies to you, please explain your situation in more detail so we can give you the correct advice. Problems can arise particularly for separated clients living with new partners.

5. Who would you like as your executor(s)?

Please tell us their full name(s), their address and relationship to you.

*Executors are the people you choose to administer your estate after you have died. Most married couples appoint one another on first death then their children or close friends or family as replacements. You can also appoint a solicitor to act as executor on first or second death. A partner from **Rohan Solicitors** will be happy to act as an executor of your Will if you wish.*

Replacement executor(s):

If your first appointed executors die before you or are unable or unwilling to act

6. If you have children under 18, who would you like to appoint as their guardian after your death?

Please tell us their full name(s), their address and relationship to you.

Normally the guardian will be the surviving parent. However, any person with "parental responsibility" can appoint a guardian for a child. Appointments can be challenged after your death, so if you feel that your choice of guardian is likely to be controversial then please tell us so we can advise you more fully about this important issue.

Your Estate

7. Would you like to leave any specific amounts of money to a named individual?

If so, then please tell us the amount, the name of the individual and their current address. If you wish to leave a percentage of your estate, please provide details in section 10.

Eg £500 to my sister Emily Bronte of The Parsonage, Haworth, Yorkshire BD12 3XY

8. Would you like to leave any money to a specific charity?

Obviously, this is not compulsory, but many people do like to leave something for their favourite cause. If you wish to do this then please tell us which charity and give us their address and phone number. If you know the charity number then please tell us this too.

Please tell us if you would like to attach any conditions to this or any other gift so we can give you further advice.

9. Are there any specific items (personal effects) that you would like to leave to someone else?

Eg My original Louis Wain print "Teatime Mouse Creams" to my friend Mickey of 1 Disneyland Close etc...

It is best to describe items as fully and unambiguously as possible. If you no longer own the item at the date of your death the gift will fail.

Please tell us if any of your beneficiaries are under 18 or not capable of managing their own affairs or you would like to attach any conditions to this or any other gift so we can give you further advice.

Your Estate cont.

10. Who would you like the remainder of your property and money to go to?

This is often called 'the residue' / Spouses often leave the residue to one another on first death.

If you name more than one person then the residue of your estate will be divided between them in equal shares, but it is possible to specify something different.

Eg Two thirds of the remainder to my daughter... etc and one third to my niece ...etc.

Please tell us if any of your beneficiaries are under 18 or not capable of managing their own affairs or you would like to attach any conditions to this or any other gift so we can give you further advice.

11. And where do you want your estate to go to if that gift "fails"?

Please give us their full name(s), address and their relationship to you.

A gift can fail for various reasons. So it is important to make a contingency plan.

Eg Everything to my wife unless she has already died in which case everything to be split equally between our three children.

Please tell us if your proposed beneficiary is under 18 or not capable of managing their own affairs or you would like to attach any conditions to this gift so we can give you further advice.

General

12. Do you wish to leave any specific instructions for your funeral?

For example, you may want to let people know that you wish to be cremated rather than buried.

Please bear in mind that your Will may not be read until after your funeral, so to minimise distress please make sure that your executors or close family know your funeral wishes in advance.

However, please note that your executors are not legally obliged to carry out your wishes.

13. Is there anyone amongst your circle of family or dependants who might expect to be included in your Will, but who you wish to exclude?

For example, you might feel very strongly that you do not wish to leave anything to your son as you do not approve of his lifestyle and believe that he would waste the money.

Our advice is firstly to consider this very carefully; people and circumstances change over time and there is a risk that you may forget to change your Will in the future when you are reconciled. Secondly, if you are sure that you do wish to exclude someone then we need to give you more specific individual advice. Disgruntled would-be beneficiaries can challenge Wills so we must try to make yours as watertight as possible. Most often problems arise with separated spouses and partners in second, unmarried, families. It is vital you tell us if this applies to you.

Tax Planning

14. Do you have any idea about the current value of your property and money?

We ask this question to try to help you work out whether you require additional tax planning advice at this stage.

Please note that we do not provide complex tax planning advice.

If your estate is worth more than £325,000.00 (£500,000 in some instances) then it may be subject to inheritance tax at 40%.

15. Do you own your own home? If so, is the property in joint names with someone else?

If you do own property in joint names with someone else then your co-owner may automatically inherit your share on your death. If you don't want this to happen then please tell us now so we can act now to prevent this.

16. Do you own any other property jointly with another person?

This could include bank accounts, shares and investments but could be any jointly owned property. If you do own joint property then your co-owner may automatically inherit your share on your death. If you don't want this to happen then please tell us now so we can act now to prevent this.

17. Do you have any life assurance policies or pensions that pay out survivors' benefits?

If so, these may not form part of your estate and you should check whether you have already nominated a beneficiary as this may have tax advantages. (Also, it may be as well to remind yourself that your choice of beneficiary is appropriate).

18. Do you have any foreign or business assets?

If so, do you have a will in said foreign country to cover those assets? Do you have any sort of agreement to dispose of business assets upon your death?

Other

19. When you have made your Will, do you have a safe place to keep it?

*If you are confident that you have a safe place then you may want to keep the Will yourself. Otherwise, **Rohan Solicitors** is happy to keep your Will for you. In which case we will give you a copy. In either case we suggest that you tell your executors where the original is kept.*

Please circle one of the following options:

1. I would like to keep my Original Will
2. I would like Rohan Solicitors to store my Original Will and provide me with a copy

20. Please use this space to ask for any other help or advice you need.

The advice we give is only as good as the information you provide us with. Therefore if you have any concerns or questions, please ask here.

Please remember:

Certain events, such as your marriage or divorce after you have made your Will, automatically affect the validity of your Will and may mean that your money and property does not go where you want it to.

Therefore we advise all our clients to keep their Will under review. We recommend that, at the very least, you take ten minutes at New Year each year just to remind yourself what your Will says. That way you should remember to consult us and to update your Will if your circumstances change.

*If you decide you want to make a change then please contact **Rohan Solicitors** as we can help you through the formalities to ensure that any changes you make to your Will are valid.*