**WILL QUESTIONNAIRE**

The primary purposes of a will are: 1) to name guardians for minor children and dependents; and 2) to distribute assets. As the creator of a will, you’re providing legacy instructions and naming trusted individuals to carry them out upon your passing.

A will, by itself, does not prevent your estate from going through probate. Probate is required to determine guardianship for a minor child when no parent is available to be guardian. Probate is also required when an individual passes away leaving individually-owned real estate, or $75,000 or more in personal property. Probate may be required for other reasons, also. Such as: disagreements among beneficiaries, questions about the validity of a will, cash gifts to individuals or charities, creditor claims, or estate insolvency, among others.

Probate can be avoided while using a will. Probate is typically not required if you’re married and pass away before your spouse. If you’re married and own any and all real estate jointly, you will likely avoid probate. The guardianship of any minor children and the majority of your assets will transfer solely to your surviving spouse. You may also avoid probate if you have no minor children and you name beneficiaries to your home, checking and savings accounts, investment accounts, cars, boats, and any other assets eligible for beneficiary designations.

A will enables you to leave instructions for the care of your minor children and dependents. A will also allows you to distribute your assets according to your wishes. Joint ownership and beneficiary designations make it possible to avoid probate while using a will.

**PERSONAL INFORMATION**

Name: Click here to enter your full legal name.

Date of Birth: Click here to enter your D.O.B.

US Citizen?  Yes  No

Street Address: Click here to enter your street address.

County: Click here to enter the county you live in.

Telephone Number: Click here to enter your telephone number

Email: Click here to enter your email address.

**MARITAL STATUS:**

Married

* First marriage? Yes  No
* Children from previous marriage? Yes  No

Divorced

Widowed

Never Married

**SPOUSE OR SIGNIFICANT OTHER**

Name: Click here to enter your spouse’s full legal name.

Date of Birth: Click here to enter your spouse’s D.O.B.

US Citizen?  Yes  No

Telephone Number: Click here to enter your spouse’s telephone number.

Email: Click here to enter your spouse’s email.

*\*\*\*If you have no children, you may skip to page 5 “Personal Representative(s)”*

**CHILDREN**

Please provide your children’s full names and dates of birth.

Name: Click here to enter child’s full name.

DOB: Click here to enter child’s D.O.B.

Name: Click here to enter child’s full name.

DOB: Click here to enter child’s D.O.B.

Name: Click here to enter child’s full name.

DOB: Click here to enter child’s D.O.B.

Name: Click here to enter child’s full name.

DOB: Click here to enter child’s D.O.B.

**Please answer each of the following questions regarding your children:**

1. Is there any reason NOT to treat your children equally?  Yes  No

If yes, please explain:

Click here to enter text.

1. Do any of your children have a disability?  Yes  No

If yes, please explain

Click here to enter text.

1. Do you have any special concerns or objectives regarding your children?

Click here to enter text.

*\*\*\*If you have no minor children, you may skip to page 4 “Trustee”.*

Is the other parent of your minor children: Your Spouse Another Person

If the other parent of your minor children is another person, please list that person’s name:

Click here to enter other parent’s name.

**GUARDIANSHIP**

Guardianship enables you to name another individual to care for your minor children, should you and your children’s other parent pass away or become unable to act as guardian(s). The individual named will have physical control and custody of your children until your children reach age 18.

Should you pass, your children’s other parent (natural or adoptive) has the right to act as guardian even if you name someone else to serve as guardian in your will. However, it remains important to name a guardian in case your children’s other parent passes away before you, is unable to act, or cannot be located.

If you wish a married couple to serve as guardians, please list only one person from the couple (whom you would like to be guardian if the couple should separate).

**Guardian:**

Name: Click here to enter guardian’s name.

Relationship to you: Click here to enter guardian’s relationship to you.

Address: Click here to enter guardian’s full street address.

Telephone Number: Click here to enter guardian’s telephone Number

**Alternative Guardian (should something happen to the guardian):**

Name: Click here to enter guardian’s name.

Relationship to you: Click here to enter guardian’s relationship to you.

Address: Click here to enter guardian’s full street address.

Telephone Number: Click here to enter guardian’s telephone Number

*\*\*\*Those without minor children please continue here, unless your adult children are of age to receive their full inheritance without the control of a trustee, then you may skip to page 5 “Personal Representative”.*

**TRUSTEE**

Your trustee manages the assets you’ve left your children until they reach a given age. You’re able to decide at what age your children receive full control of their inheritance. While a guardian has the responsibility to care for your minor children, a trustee is responsible for distributing funds and assets to your children until they’ve reached your determined age of full inheritance. You can choose the same person to be both the guardian and the trustee for your children. You can also name a different person, a professional advisor, a bank, or another institution. Please list the person or entity you would like to name as trustee.

**Trustee:**

The Guardian named above.

A different person or entity:

Name: Click here to enter trustee’s name.

Relationship to you: Click here to enter trustee’s relationship to you.

Address: Click here to enter trustee’s full street address.

Telephone Number: Click here to enter trustee’s telephone Number

**Alternative Trustee (should something happen to the trustee):**

The Alternative Guardian named above.

A different person or entity:

Name: Click here to enter trustee’s name.

Relationship to you: Click here to enter trustee’s relationship to you.

Address: Click here to enter trustee’s full street address.

Telephone Number: Click here to enter trustee’s telephone Number

*\*\*\*Those without children or with adult children not requiring a trustee, please continue here.*

**PERSONAL REPRESENTATIVE(S)**

Please list the person or persons you would like to serve as the personal representative of your estate. Your personal representative, once appointed by the court, is responsible for settling your affairs, carrying out the terms of your will, and otherwise implementing your last wishes and instructions. Your personal representative should be a well-organized and trustworthy individual, as well as someone you’re comfortable working with your family. Consulting your potential personal representative prior to listing them may be helpful.

**PERSONAL REPRESENTATIVE**

My spouse.

Another Person:

Name: Click here to enter personal representative’s name.

Relationship to you: Click here to enter personal representative’s relationship to you.

Address: Click here to enter personal representative’s full street address.

Telephone Number: Click here to enter personal representative’s telephone number.

**SUCCESSOR PERSONAL REPRESENTATIVE**

This person would act as personal representative if your primary personal representative is unable or unwilling to act.

Name: Click here to enter personal representative’s name.

Relationship to you: Click here to enter personal representative’s relationship to you.

Address: Click here to enter personal representative’s full street address.

Telephone Number: Click here to enter personal representative’s telephone number.

**BENEFICIARIES**

If you wish to transfer any assets to individuals other than your spouse or children, please list their information here:

**Beneficiary 1:**

Name or Entity Receiving Gift: Click here to enter beneficiary’s name.

Date of Birth (if applicable): Click here to enter beneficiary’s D.O.B.

Relationship to you (if any): Click here to enter beneficiary’s relationship to you.

Address: Click here to enter beneficiary’s full street address.

Telephone Number: Click here to enter beneficiary’s telephone number.

**Beneficiary 2:**

Name or Entity Receiving Gift: Click here to enter beneficiary’s name.

Date of Birth (if applicable): Click here to enter beneficiary’s D.O.B.

Relationship to you (if any): Click here to enter beneficiary’s relationship to you.

Address: Click here to enter beneficiary’s full street address.

Telephone Number: Click here to enter beneficiary’s telephone number.

**Beneficiary 3:**

Name or Entity Receiving Gift: Click here to enter beneficiary’s name.

Date of Birth (if applicable): Click here to enter beneficiary’s D.O.B.

Relationship to you (if any): Click here to enter beneficiary’s relationship to you.

Address: Click here to enter beneficiary’s full street address.

Telephone Number: Click here to enter beneficiary’s telephone number.

**Beneficiary 4:**

Name or Entity Receiving Gift: Click here to enter beneficiary’s name.

Date of Birth (if applicable): Click here to enter beneficiary’s D.O.B.

Relationship to you (if any): Click here to enter beneficiary’s relationship to you.

Address: Click here to enter beneficiary’s full street address.

Telephone Number: Click here to enter beneficiary’s telephone number.

**APPROXIMATE CURRENT ASSETS**

These do not need to be exact figures, just a close representation of your current assets. If married, include property and accounts owned jointly with your spouse as well as your individual property, bank accounts, retirement accounts, life insurance, etc. Do not include your spouse’s individual bank accounts, retirement accounts, life insurance, or anything owned solely in your spouse’s name.

Real Estate Equity (approximate values less amounts owed on any mortgages) $ Amount

Bank Accounts, CDs, Money Market Accounts $ Amount

Retirement Accounts (IRA, 401K, 403b) $ Amount

Pension Benefits that continue after passing $ Amount

Life Insurance $ Amount

Vehicles (approximate values less amounts owed on any vehicle loans) $ Amount

RVs, Campers, ATVs, Snowmobiles, Ice Houses, etc. (approximate values less loans) $ Amount

Business Interests $ Amount

Investment Funds (Stocks, Bonds, ETFs) $ Amount

Money Owed to You (outstanding notes payable to you) $ Amount

Other Money & Personal Property (coins, computers, furniture, guns, collectibles, etc.) $ Amount

**Total Approximate Value of Your Estate** **$** Amount

**Total Approximate Annual Household Income $ Amount**

**Do you own a farm or business?**  Yes  No

If Yes, **Total Approximate Value of Your Farm or Business**  **$ Amount**

**DISTRIBUTION OF ASSETS**

Please provide how you would like your assets distributed (the property remaining after paying the debts and expenses of estate administration).

**REAL ESTATE:**

Please list to whom you would like to leave your primary and any secondary residences, land, or real property.

Primary Residence:

First:  To my spouse.

Second:  To my child(ren) – biological/adopted equally

To my child(ren) and my step-child(ren) equally

In the following manner:

|  |  |
| --- | --- |
| Name of Beneficiary | Percent Ownership |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |

Other Property:

Address: Click here to enter the full street address of additional property.

First:  To my spouse.

Second:  To my child(ren) – biological/adopted equally

To my child(ren) and my step-child(ren) equally

In the following manner:

|  |  |
| --- | --- |
| Name of Beneficiary | Percent Ownership |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |

**REMAINING ASSETS:**

Your will only distributes those assets not owned jointly and those without beneficiary designations. In addition, a Minnesota will is accompanied by a “tangible personal property list”. A tangible personal property list allows you to name beneficiaries in your will to receive specific items or personal property (other than cash or cash equivalents) whenever you see fit.

The following distributions are for those items not owned jointly, without a beneficiary designation, and not included in a tangible personal property list accompanying your will.

First:  To my spouse.

Second:  To my child(ren) – biological/adopted equally

To my child(ren) and my step-child(ren) equally

In the following manner:

|  |  |
| --- | --- |
| Name of Beneficiary | Percent Ownership |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |

**Trusts for Children**

If your children are under a certain age when you pass away, the assets you leave them will be held in trust. Until your children reach a certain age (typically 18, 21, 25, or 30), the trustee may make distributions for anything they deem appropriate. At what age should your children be able to require the trustee to give them their remaining trust assets?

Age: Click here to enter the age you’d like your children to receive their full inheritance without trustee supervision.

**Catch-All Distribution**

In the event that none of the above-named beneficiaries are living or in existence, your assets shall be delivered to:

your heirs-at-law (closest living relative or relatives); **OR**

1/2 to your heirs-at-law and 1/2 to your spouse’s heirs-at-law

**OTHER CONSIDERATIONS**

**Do you expect any inheritance in the near future?** Yes  No

**If yes, please explain:**

Click here to enter text.

**Do you intend to specifically disinherit anyone?** Yes  No

**If yes, please identify the individuals you wish to exclude from inheriting your assets:**

Name: Click here to enter disinherited person’s name.

Date of Birth (if applicable): Click here to enter disinherited person’s D.O.B.

Relationship to you (if any): Click here to enter disinherited person’s relationship to you.

Name: Click here to enter disinherited person’s name.

Date of Birth (if applicable): Click here to enter disinherited person’s D.O.B.

Relationship to you (if any): Click here to enter disinherited person’s relationship to you.

**If you have any other instructions not addressed by any of the above questions please list them below. Also, include any questions you might have about the probate process.**

Click here to enter text.