

Your Pre-Paid Legal Plan



Will Questionnaire



Preparing Your Will

Will preparation is one of the most important benefits included at no additional charge with your Pre-Paid Legal membership.

It's in your family's best interests to take a small amount of time **NOW** and have your will prepared rather than putting it off until later—

You won't regret doing it but chances are you'll regret NOT doing it.

Think it's too complicated? It's really not! Simply follow the steps below to have your will prepared and gain some extra peace of mind knowing your assets and your family will be taken care of...

1 Complete your Will Questionnaire

Complete the Will Questionnaire on the following pages. Please read all introductory information at the beginning of your questionnaire. Don't hesitate to call your Provider Law Firm at the number on your membership card if you have questions.

Your spouse and covered family members may also have their Wills prepared. For the small amount required for this service, please refer to your plan contract.

2 Mail Your Questionnaire(s) with proper postage

After you've completed all applicable sections of the Questionnaire, mail it to your Provider Law Firm in a stamped, addressed envelope (preferably a 6 x 9 or 9 x 12). Please contact your Provider Law Firm at the number on your membership card for a proper mailing address and any additional instructions they may have.

Residents of North Dakota, Rhode Island & Vermont, please address your envelope to:

Pre-Paid Legal Services, Inc.
PO Box 2307
Ada, OK 74820

3 Follow your Provider Law Firm's Instructions When You Receive Your Will

If any clarification is necessary before or during the preparation of your will, your Provider Lawyer will call you. **When you receive your will in the mail, follow your provider law firm's instructions** regarding the signing of your will, who must witness it, whether it needs to be notarized, and other formalities that might be required in your state or province.

Are there any charges if I need to make changes to my will?

As the primary member, you can have your will updated as often as once a year at no additional charge! A small fee is, however, required for updates and changes to a spouse's will.

Please refer to your plan contract for details.



Where should I store my will?

Store your will in a safe place such as a bank security deposit box. Please remember that you—not your Provider Law Firm—are responsible for the safekeeping of your will. Make sure your family members know where they can find copies of your will and other important legal and financial documents.

Before mailing be sure to:

- **Include the proper postage...**
One Questionnaire: 2 First-class stamps
Two Questionnaires: 3 First-class stamps
- **If including a spouse's questionnaire...**
Please include the preparation fee listed in your plan contract under the heading "Legal Consultation and Legal Assistance Services."

IMPORTANT: Read this information before completing your Will Questionnaire.

The following information is designed to help you make decisions regarding your Will and is not intended to be legal advice. Please consult with your provider law firm for issues regarding Will preparation for your specific state and circumstances.

1 A great deal of personal information is requested of you in your Will Questionnaire. While some of this information may not be needed by your provider law firm in order to prepare your Will, they will not know which is and which is not until they review the information. **Without all of the information**, they cannot ensure that your expressed wishes can occur or that the best arrangements have been made. **All information you provide them will remain confidential.**

2 **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:

- \$1,500,000 in 2004 and 2005
- \$2,000,000 in 2006, 2007 & 2008 or
- \$3,500,000 in 2009 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, which may lessen potential inheritance tax liability in the future. **Therefore, seeking the advice of an attorney may help you structure Will provisions to maximize tax saving benefits.**

3 Your estate could be subject to **state inheritance tax** even if it isn't subject to federal taxation. Please call your provider law firm for further clarification.

4 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. **(Note: "joint tenants with right of survivorship" is an**

estate in property acquired by purchase or grant to two or more persons, thereby creating one and the same interest.) 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.



If you have questions at any point while filling out your Will Questionnaire, please don't hesitate to call your provider law firm at the number on your membership card.

5 **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.

6 You may include **funeral instructions** in your Will; however, you should make these wishes known to your family, Executor and close friends. **Often your Will is not looked at until after funeral arrangements have been made and carried out.**

7 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 law firm.**

Typical Estate Plans

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

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. **(Note: a guardian is 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. A conservator or trustee is a person appointed to manage the financial affairs of one who is legally incapable of doing so because of age or other incapacity.)** 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 law firm is advisable to determine the options available to you and your spouse. A copy of any prenuptial agreement should be given to your provider law firm 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. Depending on the State, a non-resident of the state may be appointed although distance could present 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 law firm about the laws in your state.

Will Questionnaire

The information requested below is essential in preparing your Will. If you need more space 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

a. Are you a U. S. citizen? * Yes No If no, country of citizenship: _____

b. State all other names by which you have been known:

c. Social Security Number: _____

d. Pre-Paid Legal Membership Number: _____

e. Age: _____ Date of birth: _____ f. Sex: Male Female

2. State your current residence:

a. Street address: _____ City: _____

b. County or Parish: _____ State: _____ ZIP code: _____

c. Telephone: Residence: _____ Work: _____

3. If you are married, state your spouse's full name (including maiden name):

_____ First Middle Last

a. Spouse's Social Security Number: _____ Spouse's date of birth: _____

c. Date of marriage: _____

d. Place of marriage: _____

e. Are you currently living with present spouse? Yes No

If no, state spouse's address: _____

4. Prior Marriage:

a. Has either spouse been divorced? Yes No

b. Date of marriage: _____

c. Date of divorce judgment: _____

d. Court rendering judgment: _____

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

5. If you have children, including adopted children, state the following for each child, including whether the child is from your current marriage, if applicable:

Full name	Son/Daughter	Date of birth	Marital status	Current marriage (Yes/No)
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* Non-citizen estate taxation will vary from taxation for U.S. citizens.

WILL QUESTIONNAIRE

6. a. Name and date of a deceased child or children:

Full name Son/Daughter Date of Death

b. Name of deceased child's living children:

Full name Son/Daughter Date of Birth

7. If you have grandchildren, state the following:

Full name _____	Full name _____	Full name _____
Parent's names _____	Parent's names _____	Parent's names _____
Grandson <input type="checkbox"/> Granddaughter <input type="checkbox"/>	Grandson <input type="checkbox"/> Granddaughter <input type="checkbox"/>	Grandson <input type="checkbox"/> Granddaughter <input type="checkbox"/>
Date of birth _____	Date of birth _____	Date of birth _____
Marital status _____	Marital status _____	Marital status _____
Living (Yes <input type="checkbox"/> No <input type="checkbox"/>)	Living (Yes <input type="checkbox"/> No <input type="checkbox"/>)	Living (Yes <input type="checkbox"/> No <input type="checkbox"/>)

8. If your spouse's grandchildren are different from above, state the following:

Full name _____	Full name _____	Full name _____
Parent's names _____	Parent's names _____	Parent's names _____
Grandson <input type="checkbox"/> Granddaughter <input type="checkbox"/>	Grandson <input type="checkbox"/> Granddaughter <input type="checkbox"/>	Grandson <input type="checkbox"/> Granddaughter <input type="checkbox"/>
Date of birth _____	Date of birth _____	Date of birth _____
Marital status _____	Marital status _____	Marital status _____
Living (Yes <input type="checkbox"/> No <input type="checkbox"/>)	Living (Yes <input type="checkbox"/> No <input type="checkbox"/>)	Living (Yes <input type="checkbox"/> No <input type="checkbox"/>)

9. Do you and your spouse have a Prenuptial Agreement which identifies and disposes of separate spousal property?

Yes No **(If yes, attach copy with any filing data.)**

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

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

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

WILL QUESTIONNAIRE

13. 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, Savings, or Credit Union Accounts & Certificates				
1.				
2.				
3.				
4.				
5.				
d. Annuities				
e. Oil, Gas, or Other Minerals				
f. U.S. Savings/ Other Bonds				
g. Stock				
h. Accounts Receivable				
i. Rents Receivable				
j. Notes Receivable				
k. Automobiles & Other Vehicles				
1.				
2.				
3.				
l. Interest in a Business				
m. Subchapter 'S' Business				
n. All valuable personal property				

W I L L Q U E S T I O N N A I R E

	Value	Joint or Marital Property	Husband's Separate Property	Wife's Separate Property
o. Household Furniture and Furnishings				
p. Other Household Contents				
q. Collections (Coins, Stamps, Paintings, etc.)				
r. Interest in a Lawsuit				
s. Other Claims or Intangibles				
t. Escrows or Deposits				
u. Deferred Compensation Plans				
v. Interest under any Executory Contracts				
w. Miscellaneous				
x. Life Insurance Policies				
y. Qualified Retirement Plans				
TOTALS				

14. Debts:	Joint or Marital Value 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			

W I L L Q U E S T I O N N A I R E

15. Please indicate, by checking the appropriate option, how you want your assets to pass when you die. (See page 13 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 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 my children and descendants fail to survive me, I want my assets to be distributed as follows:

_____ **Option C**

None of the above. I want my assets to pass as follows:

16. Do you wish to disinherit any child or grandchild? If so, you must list their names here. (Please see instructions concerning disinheritance on page 1.)

17. 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 number 15, you have indicated by your selection the items described above will pass to your spouse and/or children. Complete this number 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 15.

ITEM

SPECIAL IDENTIFYING FEATURES

RECIPIENT

WILL QUESTIONNAIRE

18. If your children are under age eighteen (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.

NOTE: A guardian is 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.

- 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(s) named above is/are unwilling or unable to serve as guardian (custodian), please list an alternate:

- g. Name(s): _____
- h. Address: _____
- i. Relationship (if any): _____

19. Do you want the appointed guardian also to be the trustee (conservator) of any assets inherited by the minor children?

NOTE: A conservator or trustee is a person appointed to manage the financial affairs of one who is legally incapable of doing so because of age or other incapacity.

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)? _____ 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): _____

W I L L Q U E S T I O N N A I R E

20. 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 a personal representative, please list an alternate:

c. Full name: _____

d. Address: _____

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

NOTE: A fiduciary bond is a type of surety bond required by the court to be filed by executors, guardians, etc., to ensure proper performance of duties.

21. 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. Forms are available from your Provider Law Firm that will help you specify your wishes regarding Health Care Power of Attorney and Physician's Directive.

a. Would you like to request a Health Care Power of Attorney form from your Provider Law Firm at this time?

Yes No

b. Would you like to request a Physician's Directive form from your Provider Law Firm at this time?

Yes No

If there is any information you think would help us prepare your Will, please include below or on a separate sheet of paper and attach it to this questionnaire.

Confirmation of information and instructions: I confirm the information provided by me in this questionnaire is complete and accurate, and that the instructions I am providing reflect my wishes.

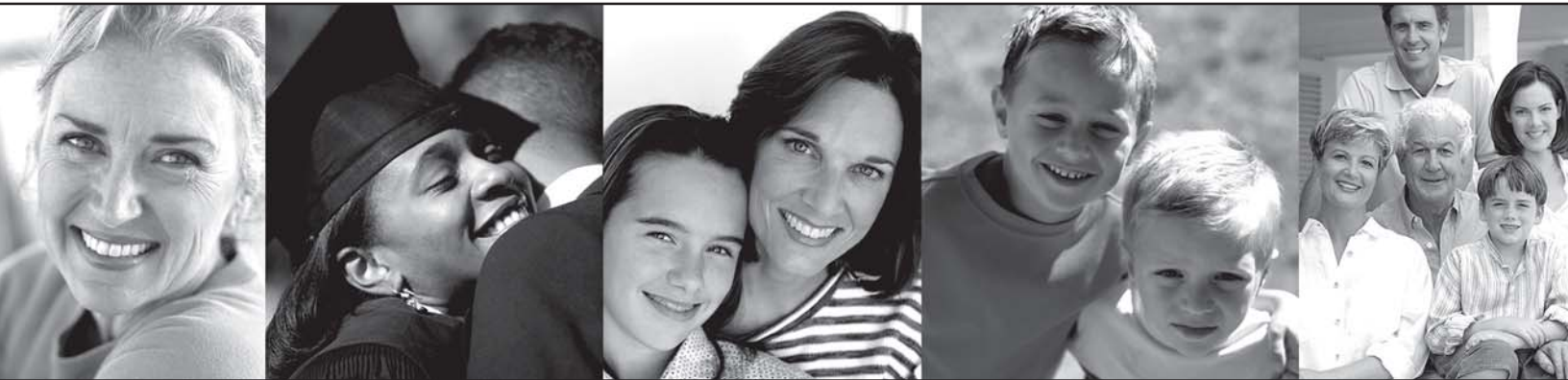
Signature

Date

***Note to 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 they 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 _____



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