
Will Worksheet

Virgin Island National Guard Staff Judge Advocate's Office

PRIVACY ACT STATEMENT

AUTHORITY: United States Code, Title 10, Section 8072. **PRINCIPAL PURPOSE:** To assist a judge advocate in the preparation of a client's Will. **ROUTINE USES:** To provide a Judge Advocate with sufficient information to draft a client's Will. The Office of the Staff Judge Advocate maintains no file copy. **MANDATORY OR VOLUNTARY DISCLOSURE AND EFFECT ON INDIVIDUAL BY NOT PROVIDING INFORMATION:** Disclosure is voluntary, but nondisclosure prohibits preparation of a Will.

Welcome to the VI National Guard Staff Judge Advocate's Office. This worksheet will answer common questions concerning Wills, prepare you to discuss your needs and desires with an attorney, and provide a convenient form on which to record important information. After you have completed this worksheet, you may come to our office to speak with an Judge Advocate General and have your Will prepared and signed. If you do not understand any part of this worksheet, leave the question blank and discuss it with your JAG during the interview.

WHAT IS A WILL?: A Will is a legal document which states your desires concerning what will happen to your property after your death. A Will also contains other specific directions from you concerning who is to implement your instructions and, perhaps, who will care for any minor children you may leave behind.

WHY SHOULD I MAKE A WILL?: If you die without a valid Will, the distribution of your property will be governed by the laws of your domicile or state of legal residence, and perhaps by the laws of the state in which you die. Your wishes usually will not be considered.

IS ALL OF MY PROPERTY CONTROLLED BY MY WILL WHEN I DIE?: No! For example, proceeds of life insurance policies (including SGLI) are distributed as you have designated in the insurance policy, and property that you own jointly with another person will, normally, go to the other joint owner. Likewise, certain bank accounts which are payable on death go directly to the beneficiary. Property passed to beneficiaries in these ways avoids the probate proceeding.

WHAT IS PROBATE?: Probate is a court procedure by which a Will is proved to be valid or invalid. Probate proceedings also address the administration of your estate, taxes, the guardianship of children, etc.

SECTION I CLIENT INFORMATION

FULL name (FIRST, MIDDLE, LAST): _____

Are you married? YES: ___ NO: ___

If yes, please give FULL name of spouse: _____

SECTION II FAMILY INFORMATION

FULL name (s), date(s) of birth, and sex of ALL children (specify if adopted, stepchildren, or children from a prior marriage): _____

Have you ever been divorced or currently separated? _____

SECTION III ASSET INFORMATION

Do you own real estate? Yes ____ No ____

Please give legal description of property _____

Do you own stocks or bonds? Yes ____ No ____

Please estimate the TOTAL worth of your estate (including all real and personal property, bank accounts, stocks/bonds, life insurance, and pensions): \$ _____

SECTION IV PROPERTY DISPOSITION

Do you want your estate to go to your spouse? Yes ____ No ____

Do you want to exclude your spouse to the extent possible under the law? Yes ____ No ____

Do you want to exclude anyone who contests the Will? Yes ____ No ____

If your spouse does not survive you, list your primary beneficiaries and the amount you want each to take: (usually your children)

NAME	PROPORTION%
_____	_____
_____	_____
_____	_____

If your primary beneficiaries -the people listed above (usually spouse or children) do not survive you, do you wish to name an alternate beneficiary (or beneficiaries) to receive your estate?

NAME	PROPORTION%
_____	_____
_____	_____
_____	_____

Do you have a list of specific personal property bequests (personal property such as jewelry, furniture, art, collection, and miscellaneous items) which you would like to leave to a specific person or persons.

Yes ____ No ____

If yes, please provide a list including which items you wish to bequeath and the name and relationship of the person you wish to give the property to on a separate sheet.

MINOR CHILDREN

How would like the assets of any minor children to held.

Held until the minor reaches ____18 ____21 ____25 ____ other.

Held by the Guardian or in a Trust? ____ Guardian ____ Trust

A Trust is a right of property held by on person, the trustee, for the benefit of a beneficiary.

SECTION V PERSONAL REPRESENTATIVE (EXECUTOR)

The executor is the person appointed by you to collect your assets, pay your debts, and distribute everything remaining. The person appointed should agree to serve before being appointed. A bond will be required unless waived by specially. A bond is a certificate whereby a surety company agrees to pay money if your named executor fails to faithfully perform the duties of administering your estate. Some states require the executor to be domiciled in your state, be over 18 years of age (21 in some states) and preferable skilled in business affairs.

Full name and relationship of Executor (usually your spouse):

If you wish a co-executor (your executor and co-executor will have to agree on all issues to all issues to probate you will) list the co-executor’s full name and relationship here:

Full name and relationship of alternate executor (if the above named executor(s) cannot serve):

SECTION VI GUARDIANS

If you and your spouse (or other parent) of your child die leaving minor children, they will require a Guardian. A guardian should be an individual you would trust to raise your children and look out for their best interest(s). The guardian should also be notified and agree to serve before being named.

Full name of guardian: _____

Will there be a co-guardian (must serve with the guardian) if yes, provide a full name:

If the above named guardian (s) cannot serve, provide an alternate guardian:

Full name of alternate guardian: _____

SECTION VII TRUSTEE

If you and your spouse (or other parent) of your child dies leaving minor children, and decide that you wish their inheritance to be held in a trust you will require a trustee. A trustee should be an individual that you can trust to manage your child’s assets look out for their best interest(s). The trustee should also be notified and agree to serve before being named.

Full name of trustee: _____

Will there be a co-trustee (must serve with the trustee) if yes, provide a full name:

If the above named trustee cannot serve, provide an alternate trustee:

Full name of alternate trustee: _____

SECTION VIII OTHER CONSIDERATIONS

Do you wish to be buried in a certain place or manner? Yes____ No____

If yes, list here _____

If eligible, do you wish a military burial? Yes____ No____

Do you wish to be an organ donor? Yes____ No____

If specific organs, please list here
