

sinclairslaw

WILL QUESTIONNAIRE

This Will Questionnaire is to help you prepare for questions you will be asked on the telephone or at an appointment when giving instructions for your new Will. Thinking about and completing this questionnaire will help to save time and make the will-writing process more efficient. If you are unsure about any of the answers, just make a note and we will be happy to discuss this with you. Please use an additional sheet of paper if you need more space for any of your answers.

Mirror Wills are suitable for married couples, co-habiting couples or civil partners who have very similar wishes regarding the distribution of their estates. If you would like Mirror Wills, all you have to do is complete one form and indicate that you would like Mirror Wills by ticking the box below. Based on the information you have provided, we will then prepare two Wills, one for you and one for your spouse/partner in the same terms.

Please tick if you would like Mirror Wills

Information about you and your spouse / partner

1. You

Full Name (including any middle names):

.....

Date of Birth: / /

Country of birth:

Address:

.....

.....

Postcode:

Telephone Number (including area code): (Home)

(Mobile)

Email address:

.....

Marital Status: Single / Divorced / Engaged / Remarried / Married / Widowed / Separated

Are you planning on marrying or entering into a civil partnership in the next 12 months?

Yes / No

Gender: male / female (please circle)

2. Your spouse or partner

Full Name (including any middle names):

.....

Date of Birth: / /

Country of birth:

Address:

.....

.....

Postcode:

Telephone Number (including area code): (Home)

(Mobile)

Email address:

.....

Marital Status: Single / Divorced / Engaged / Remarried / Married / Widowed / Separated

Are you planning on marrying or entering into a civil partnership in the next 12 months?

Yes / No

Gender: male / female (please circle)

3. Children

* Please state whether the child is from this relationship, a previous relationship or other circumstances.

Please list ALL children here, whether or not you wish them to benefit under your Will and even if you are no longer in contact with them or if they are no longer living.

Child 1

Full Name (including any middle names):

.....

Date of Birth: / /

Address: (if not living with you)

.....

.....

Postcode:

Status*

Child 2

Full Name (including any middle names):

.....

Date of Birth: / /

Address: (if not living with you)

.....
.....

Postcode:

Status*:

Status*

Child 3

Full Name (including any middle names):

.....

Date of Birth: / /

Address: (if not living with you)

.....
.....

Postcode:

Status*

Child 4

Full Name (including any middle names):

.....

Date of Birth: / /

Address: (if not living with you)

.....
.....

Postcode:

Status*

Are any of your children disabled? If so, please give details on a separate sheet if necessary.

Depending upon the nature of the disability and the value of any gift they are being left, it may be best for their gift to be held in trust. We will advise further on this point if relevant.

4. Do you have an **existing Will**?

You: Yes / No Your Spouse or Partner: Yes / No

If yes, where is it located?

Does it deal with foreign property?

5. Nominated **guardians** for any child yet to reach 18

Guardian 1

Full Name (including any middle names):

.....

Address:

.....

.....

Postcode:

Relationship to you:

Guardian 2

Full Name (including any middle names):

.....

Address:

.....

.....

Postcode:

Relationship to you:

6. Do you have any particular **funeral wishes**?

You: Cremation / burial / other directions (e.g. donating body to medical research)

Your spouse / partner: Cremation / burial / other directions

7. **Choice of Executors**

We recommend you appoint a minimum of two people and a maximum of four. Please note that ideally your Executors should be younger than you.

It is usual for your spouse or next of kin (who is often the main beneficiary) to be appointed as the first Executor, but you must name a replacement in the event that your spouse or partner dies before you.

The remaining Executors can be your professional advisor i.e. your Solicitor (who will be dealing with your estate) or someone else such as friends, business acquaintances or relatives. Before appointing an Executor you should ideally discuss the matter with the person involved to ensure that they are willing to act as an Executor. If you appoint someone other than your solicitor and they refuse to carry out the duties after your death then problems could arise.

Where a professional Executor is appropriate we can act for you in this role. We do not charge to be named in your Will but please note there is a charge for the work undertaken in connection with your estate on death.

Please provide full name of Executor(s) including any middle names:

Executor 1

Relationship to you:

Address:

.....
.....

Postcode:

Executor 2

Relationship to you:

Address:

.....
.....

Postcode:

Executor 3

Relationship to you:

Address:

.....
.....

Postcode:

Executor 4

Relationship to you:

Address:

.....
.....

Postcode:

8. The value of your estate

The value of your major assets

Asset description	YOU	YOUR SPOUSE/PARTNER	JOINTLY OWNED? Y/N
Your home (or your share in it)	£	£	
Other property or land	£	£	
Business interests Please give full details on separate sheet	£	£	
Home contents (e.g. furniture) – <u>approximate</u> second hand sale value (not insurance replacement value which is often much higher)	£	£	
Items of particular value (e.g. jewellery or art, cars and other vehicles)	£	£	
Money in banks and building societies Please also list each account separately on an additional sheet of paper	£	£	
Shares, investments, National Savings, Premium Bonds	£	£	
Insurance and pensions	£	£	
Other savings and assets	£	£	
If you have any <u>foreign</u> assets give value in GBP and provide <u>full</u> details	£	£	
Total Assets:	£	£	

Your major liabilities

Liability description	YOU	YOUR SPOUSE / PARTNER	JOINT LIABILITY Yes / No
Your mortgage	£	£	
Do you have insurance in place to pay off mortgage on death? Y / N			
Loans and overdrafts	£	£	
Credit cards	£	£	
Credit or hire purchase agreements	£	£	
Other liabilities	£	£	
Total Liabilities:	£	£	

Assets less liabilities = **Net estate value**

YOU: £

YOUR SPOUSE / PARTNER: £

Have you made any gifts of money or property in the last 7 years, the total of which exceeded £3,000 in any one tax year?

If yes, please provide details of the date, amount / nature and recipient of the gift.

9. Specific bequests and cash gifts

Specific items (e.g. cars, ornaments, jewellery)

These types of gifts are often more appropriately made in a separate Letter of Wishes which we would refer to in your Will. Please include below any items of particular sentimental value or other importance which you would like included in the Will rather than a Letter of Wishes.

List the names and addresses of individuals and charities (* including registered charity numbers) to whom you would like to make a specific gift.

Name	Address	Description

Gifts of money

List the names and addresses of individuals and charities (* including registered charity numbers) to whom you would like to leave a specific sum of money

Name	Address	Amount

Residuary gifts

Who do you want the Residue of your estate to go to?

- The whole estate to your spouse / partner? Yes / No / N/A

If you both die together or in very quick succession, would you want everything to go equally to your children? Yes / No / N/A

- What age would you like them to receive their inheritance (please circle) 18 / 21 / 25

If one or more of your children dies before you leaving children of their own, would you like their share of your estate (that your child would otherwise have inherited) to pass to their children (i.e. your grandchildren)?

Yes / No

Who would you want to receive your estate if you both die or die in very quick succession and there are no surviving children or grandchildren or if you are not leaving the whole of your Residuary estate to your spouse / partner and /or your children?

Full Name	Address	Relationship to you	Percentage share

Total:			100%

If they are not to share the estate equally, then please state the percentage each is to receive. (Remember it must add up to 100%).

Please use an additional sheet of paper if you need more space.

10. Additional Questions

Is your ability to read, understand and sign your Will affected by any medical or other condition? Yes / No

If yes, please give details:

Have you completed this questionnaire yourself? Yes / No

If not, please specify:

- Full name of the person who completed this questionnaire
- Their relationship to you
- The reason they completed it on your behalf

Lasting Powers of Attorney

These allow you to nominate someone to act for you if you are unable to do so yourself.

Please indicate if you would like some information about Lasting Powers of Attorney. Yes / No

Please confirm that the information provided in this questionnaire is accurate and complete.

Signed:

Dated:

SOME LEGAL TERMS EXPLAINED

These are some of the words and terms you might encounter when making your Will:

Bequest (also often called a legacy)

A gift in a Will. Gifts are normally **pecuniary** (a specific sum of money), **residuary** (often expressed as a percentage share of what is left after all other gifts have been made and any debts and expenses paid) or **specific** (a particular item or property).

Please note: Specific gifts are often of sentimental rather than monetary value. The reasons behind these gifts are unique and personal to each individual. We suggest that these types of gifts may be more appropriately made in a separate Letter of Wishes. We would refer to the Letter of Wishes in your Will. You can also update the Letter of Wishes without having to change your Will.

Estate

The total value of everything you own at your time of death, minus any outstanding debts or expenses, including any tax payable on death.

Residuary Estate (or Residue)

Often expressed as a percentage this is everything that remains after all funeral expenses, taxes debts and administration expenses have been paid, and any gifts have been made and any trusts have been set up

Executor

A person you appoint to make sure the wishes stated in your Will are carried out. This can be a complicated role and some people prefer to appoint a professional to deal with the Estate. Executors are often also appointed as trustees of any trusts that arise from your Will.

Guardian

A person appointed by a parent to look after their children in the event of their death before the children reach adulthood. Please note that decisions regarding who will be appointed as Guardian are ultimately made by the Family Courts. However, wishes expressed in a Will are taken into consideration and play an important part in the decisions the courts take

Intestacy

The situation that exists if you die without a valid Will.

Inheritance Tax

A tax levied at 40% of the value of your estate over the first £325,000. Gifts to your spouse or a charity are exempt.

Testator

The person making the Will.

Trust

A legal arrangement whereby one or more trustees hold and manage assets for the benefit of one or more others (the trust beneficiary or beneficiaries).

Trustee

A person or professional entity appointed to administer a trust

Please return this questionnaire to:

Sinclairslaw, 36 Windsor Terrace, Penarth, Vale of Glamorgan CF64 1AB

Tel: 029 2070 4666

Please contact us if you need any help completing the questionnaire or have any questions.