

WILL QUESTIONNAIRE

Introduction

A will is a written instrument that has been properly executed and witnessed in accordance with Rhode Island which sets forth how an individual wishes to have his or her property distributed upon death. It speaks as of the date of death; in other words, it has no legal effect of its own prior to the death of the person making the will and it can be changed or revoked at any time.

The following form will enable our office to prepare your will in accordance with your wishes. Please try to complete this document as fully as possible. Of course areas in which you are uncertain or have questions about will be discussed at an office conference.

I. Individual Information

Name: _____

Address: _____

Phone: Home: _____ Bus: _____

II. Family Members

Spouse: _____

Children (names, ages, residence of each):

Parents (names, ages, residence of each):

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Brothers (names, ages, residence of each):

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Sisters (names, ages, residence of each):

Other Next of kin (complete only if you have no relatives above):

III. Distribution of Assets

1. Personal property: Do you have any specific items of personal property, such as jewelry, furnishings, family heirlooms, etc. that you wish to leave to any person specifically? _____ If yes, give details below:

2. Specific bequests: Do you wish to leave any specific amounts of money or other assets, other than those listed above, to any persons or charitable organizations? _____ If yes, give specifics below:

3. Residuary clause of your estate: All wills contain what is called a "residuary clause." This paragraph specifies to whom you wish to leave the remainder of your estate, after the specific bequests, if any, listed above, are made. For example, you may wish to leave your entire estate to your spouse, and then to your children, if your spouse dies before you. Please identify that person or persons below:

Primary beneficiary or beneficiaries of residue of estate:

Contingent or secondary beneficiary or beneficiaries of residue of estate (that person or persons that will receive your estate in the event your primary beneficiaries die before you):

Selection of Executor

All wills provide for the appointment of someone who will "handle" your estate upon your death, called an Executor. This person can be a relative, friend, attorney or any institution providing these services (such as a bank). The Executor has the duty to see that your wishes contained in the will are carried out as written. The Executor is also responsible for all legal matters pertaining to the estate, such as the filing of the necessary Probate Court documents (usually with the assistance of an attorney), the filing of estate inheritance tax returns required, and the payment of any just debts of the Estate.

Please identify who you wish to select as your Executor:

In the event that person is unable to serve for any reason, then my Executor will be:

Appointment of Trustee for Minors

In the event any persons who are entitled to receive assets upon your death from your estate are minors at that time, it is good practice to provide for the naming of someone that would hold these funds for the minor until the minor reaches a certain age, such as 18 or 21. Like your Executor, your Trustee can be a relative, friend, attorney, or any institution. It can be the same person as your Executor, if you wish.

Please identify who you wish to select as your Trustee:

In the event that person is unable to serve for any reason, then my Trustee will be:

I would like these assets to be held until the minor attains the age of _____ years.

Appointment of Guardian for Minors

In the event that any of your children are minors at the time of your death, and your spouse dies before you, or simultaneously, it is wise to name a person or persons that you would want to take care of your children until they become of age. This person or persons would be designated as Guardians and they would step into your shoes as parents for your children.

They would have control over their upbringing just as you do now.

Your Guardian can be a relative or friend. It can be two persons, or the survivor of them, if you wish. It may be the same person as your Trustee or Executor.

Please identify who you wish to select as your Guardian:

In the event that person is unable to serve for any reason, then my Guardian will be:

Amending Your Will

Your will can be changed at any time by you. In order to be valid, changes must be made properly and satisfy the same requirements for the execution of your original will. It is good practice to review your wills every so often (at least each three years) to determine whether, due to a change in circumstances, or in your wishes, you need to modify your will. In that event you should contact this office, or some other attorney for assistance.

Richard P. D'Addario