

General Will Information

1. Why should you have a Will?

A Will basically tells the courts how you want your property distributed after your death. If you have minor children, it will appoint a guardian for your minor children and establish a trust for them. A Will also designates who you want to be your Executor and waives the necessity for that person to post a bond.

2. What happens if I die without a Will?

If a legal Will can't be located when you die, you will die "intestate" and your belongings will be divided up based on the "intestate succession" laws of your state. This may or may not distribute your belongings as you desire.

3. What a Will cannot do.

A Will does not avoid probate, all Wills must be probated. A Will does not affect such things as life insurance policies or retirement accounts. The beneficiaries of these will be as designated on the policies. A Will does not affect joint property, nor can you disinherit a spouse. Not everyone can be completely disinherited, we can include language to try and minimize their share and let the courts know your wishes; but a surviving spouse or surviving children may be entitled to a forced share, you should consult a lawyer regarding this.

4. What not to include in a Will.

You should not include burial or funeral instructions in your Will, nor should you make anatomical donations in your Will. This should be done on your driver's license.

5. Basic terminology:

Executor: The person whom you designate to distribute your belongings as designated in your Will, and to pay any applicable taxes and debts. You should name alternate representatives in case your first choice does not survive you. Your representative must either be a relative or a Florida Resident.

Specific Bequests: If you wish to leave specified dollar amounts or specified property to any person or charity.

Guardian: The person whom you wish to raise your minor children. Name alternates in case this person doesn't want to assume this responsibility.

Trustee: If you have minor children, your Will sets up a trust fund for your children until they become adults. You need to name a person who will take care of this trust fund and administer your children's finances.

6. What do I do after I sign my Will?

You need to keep your Will in a safe secured place that your Executor has access to. If you put it in a safe deposit box, check with your bank to make certain that your Executor will have access to it. The Courts do not record Wills in this county, so it is your responsibility to keep it in a safe place.

Please contact an attorney for any specific legal questions regarding your will or wills in general.

WILL INFORMATIONAL FORM

Your complete legal name: _____

City: _____ State: _____ County: _____

Your Phone Number: _____

Your Email Address:

Your Spouse's Full Legal Name: _____

Your children's full names: You must list all of your children even if they aren't going to receive anything from your estate.

Child# 1

Child# 2

Child# 3 _____

Other Heirs (if any):

Executor:

1st Alternate Executor:

2nd Alternate Executor:

General Disposition of Property (how you want the majority of your belongings divided):

Specific Bequests: (Personal Property or money that you wish to give to specific individuals):

Are you of sound mind and under no constraint or undue influence? ___ yes ___ no

If you have minor children, we will need the following:

Trustee/Guardian of Children's Trust fund (who will take care of the children's money and raise them) and alternate:

Name of Trustee/Guardian: _____

Relationship to the Child(ren): _____

Address: _____

Phone#: _____

Alternate Trustee/Guardian: _____

Relationship to the Child(ren): _____

Address: _____

Phone#: _____

DISCLOSURE FROM NONLAWYER

I, _____, certify that Jennifer M. Kerns of Professional Services by Jenn & Jenn, LLC, explained to me that he or she is not an attorney who is a member in good standing of the Florida Bar and that he or she CANNOT: 1) give me legal advice; 2) tell me what my legal rights or remedies are; 3) represent me in court; or 4) tell me how to testify in court.

This nonlawyer further explained to me that he or she CAN ONLY: 1) help me fill out forms that have been approved by the Supreme Court of Florida; 2) ask me questions to fill in the form(s); and 3) show or explain to me how to file the form(s).

___ I can read English.

___ I can not read English, but this disclosure was read to me _____ in _____

Dated: _____

Signature of Party

Jennifer M. Kerns
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