Curzon Green Solicitors

Wills - Info Pack and Questionnaire

We have set out below a questionnaire to cover some of the main aspects of your Will which we can discuss further in due course. Please complete the form as far as you are able to do so, we will guide you and discuss this further at the meeting.

Some of the more important factors that will require your consideration are:

Executor

The executor is someone who you appoint in your Will to ensure that your wishes are carried out. Executors establish the authenticity of your Will when you die and then manage and administer your estate (e.g. closing bank accounts, cashing life policies, transferring assets). If you direct an executor in a Will to hold any property on trust, the executor will also be known as the "trustee".

The executor **must be at least 18 years of age.** They can be anyone that you wish, and can be someone that is a beneficiary under your Will. It is sensible to choose someone who you know to be trustworthy and sensible with money, and ideally you should discuss the appointment with them first. They will have powers to access and deal with your estate on your death.

You can appoint a sole executor or several executors to act jointly. Many people like to appoint a family member or a friend to act as an executor alongside a professional advisor, such as your solicitor, to act jointly. Please bear in mind that if you appoint a professional person/institution they are entitled to charge for their time in administering your estate.

Any land or property built in England and Wales that is covered by your Will shall need at least two trustees (or a trust corporation) in order for it to be sold effectively after

your death. Appointing a minimum of two executors (or a trust corporation) would remove the need for an additional trustee to be added after your death.

Beneficiaries

A beneficiary is someone who will receive something under your Will. Some examples of gifts you could leave behind include:

Cash sums – a specific amount of money to children, grandchildren, other relatives such as a nephew or niece, friends, charities, or a guardian for your children?

Specific gifts – do you have a particular item that you wish for someone to have? For example, some jewellery, an antique ornament, books etc.

Main beneficiary – who will have the 'residuary estate', ie. everything which is left once specific gifts of cash, property and chattels have been distributed?

Prior death of a beneficiary

Please consider who you would like to benefit in the event that one of the beneficiaries named dies before you.

Please consider how you would like your estate to be distributed in the event that all of your main beneficiaries pre-decease you.

Guardians

If you have children under 18 you should consider who you would like to bring them up as their primary caregiver in the event of your death. A testamentary guardian (one appointed by a parent's Will) obtains 'parental responsibility' when a child does not have any surviving parents. If no guardian has been appointed by the parents' Wills, a guardian may be appointed by the Court.

Funeral arrangements

Do you wish to record in your Will your funeral directions? Please note that often your Will is not discovered until the funeral arrangements have already been made and so it is sensible to let your loved ones know your wishes once you have decided what they are.

Exclusion from the Will

Have you excluded an immediate family member from your Will? It might be useful to make a note of those reasons. We can advise you on potential claims under the Inheritance Act.

Pets

If you have any pets, what would you like to happen to them when you die?

Your assets

It would be a great help to us if you could provide a broad understanding of the size of your estate, and some of your main assets. We have set out some of these in the will questionnaire below, but please give some extra thought to:

Land/ Property

If you own land or a property and it is in joint names, do you know whether it is owned as joint tenancy or a tenancy in common? You may need to refer to the deeds to help you with this or we can do this for you. If property is held as a joint tenancy, then upon your death your interest in this land will not pass through your estate but will pass automatically to the other joint tenant(s). We can advise you further about this and take steps to sever a joint tenancy should you wish.

Life assurance/insurance policies or pensions

Do you know who is entitled to payments under any of these? There will be terms and conditions which may be outside the scope of control under your Will. If there is any doubt, please let us have a copy and we can take a look for you.

Liabilities

When you die, there may be money that you still owe to other people, or to companies for your utility bills, or council tax, TV licence, etc. Please bear these in mind when deciding how to divide your assets amongst your beneficiaries, as it could affect the amount left in your residuary estate for your main beneficiary.

Registration of your Will

Once we have drafted your Will and you have signed it, our usual practice is to provide you with a certified copy and store the original in our fireproof facility. You can make your trusted relatives or friends aware that this is where your Will is stored.

Many clients also choose to register the existence and location of their Will with Certainty, which is a national register of Wills recommended by the Law Society. The Will remains in storage with us, but Certainty have a record of it in their database, so it can be more easily discovered.

Please confirm in the questionnaire if you would like us to register your Will with Certainty. More information on this service is available at www.nationalwillregister.co.uk.

Lasting Power of Attorney

Another point to consider when making your Will, is what you would like to happen were you to become unable to make decisions for yourself and unable to manage on your own. This is commonly due to Alzheimer's disease or dementia and health problems affecting the elderly but can also be due to an accident or unexpected illness in a younger person.

One way to make life easier if this happens is to have already put in place a Lasting Power of Attorney ("LPA"), to enable one or more trusted friends or relatives to make decisions and manage your affairs on your behalf, as your attorney(s). You can give guidance to your attorneys within the LPA, and specify whether your attorneys are able to act alone, or whether they must agree between themselves when making decisions.

In a way it is best to look on it as a form of life insurance: you hope that it will never be needed, but if it is, then it is an invaluable document to have in place!

An individual who has capacity ("the Donor") can make two different types of LPA. One is in respect of their property and finances, which can be used immediately upon registration to enable the attorney to assist the Donor with their financial management. The other form of LPA is in respect of health and welfare and enables the attorney to make decisions in respect of, for example, the care arrangements or medical treatment of the Donor once they have lost the capacity to make these decisions themselves.

If you think you could benefit from our advice in this area, or would like to put an LPA in place, please do let us know.

Curzon Green Solicitors

Will Questionnaire

Please complete the below questionnaire as best you can. If you are unsure of your response to any points, please let us know and we can discuss these further.

Thank you

Curzon Green

1. Full name	
2. Preferred name (or any other names you have been known by)	
3. Date of birth	
4. Address **Telephone Number** **Email**	
5. Do you have any health issues? If so, please provide details.	
6. Relationship Status	Married/Civil Partnership ☐ Divorced ☐ Co-habiting ☐

	Widowed/widower☐ Single ☐ Intending to marry ☐
7. Full name of spouse/civil partner and date of marriage/civil partnership	
8. Full name of partner if not married or in a civil partnership	
9. Children from current relationship	Yes ☐ No ☐
(a) Name(s)	
(b) Date(s) of birth/age(s) if under 18 years of age	
10. Children from previous relationships	Yes ☐ No ☐
(a) Name(s)	
(b) Date(s) of birth/age(s)	
11. Have you or your spouse/civil partner been married/ in a civil partnership before?	Yes ☐ No ☐
12. Did that relationship end in divorce/dissolution or the death of the previous spouse?	

13. Do you have an existing Will in England and Wales? If so, please bring it or a copy of it to our meeting	Yes ☐ No ☐
INSTRUCTIONS FOR YOUR NEW WILL	
14. Will your spouse/civil partner be an executor of your will?	Yes ☐ No ☐
15. **(a) Alternative executor (if not your spouse or civil partner)**	
(i) Name	
(ii) Address	
(iii) Relationship to you	
(b) Additional executor (if applicable)	
(i) Name	
(ii) Address	
(iii) Relationship to you	
16. **(a) First guardian to be appointed for minor children**	
(i) Name	
(ii) Address	

(iii) Relationship to you	
(b) Second guardian to be appointed for minor children (if applicable)	
(i) Name	
(ii) Address	
(iii) Relationship to you	
17. Do you wish to leave cash to individuals? If so, please give details.	Yes ☐ No ☐
18. Do you wish to leave cash to charities? If so, please give details.	Yes ☐ No ☐
19. Do you have any specific instructions regarding your Property?	Yes ☐ No ☐
20. Do you wish to leave any specific gifts (such as jewellery, articles, ornaments etc.) to anyone? If so, please provide details.	Yes ☐ No ☐
21. Is your residuary estate to go to your spouse/civil partner absolutely?	Yes ☐ No ☐

22. Have you identified a substitute beneficiary of your residuary estate should your main gift fail, or do you have more than one residuary beneficiary? **If so, please give details.**	Yes ☐ No ☐
(a) Name (s)	
(b) Address(es)	
(c) Relationship(s) to you	
(d) If the beneficiaries will possibly be minors at the time of your death, at what age should these beneficiaries inherit?	18 ☐ 21 ☐ 25 ☐ Other .....
23. If you intend for your residuary estate to be split, how? Please give details of each beneficiary's share.	Equally ☐ Into shares ☐ Into percentages ☐
24. Do you wish for the children of these beneficiaries (for example your grandchildren, nieces and nephews) to inherit should their parents predecease you?	Yes ☐ No ☐
25. At what age should any these replacement beneficiaries inherit?	18 ☐ 21 ☐

	25 ☐ Other ☐ .....
26. Funeral arrangements to be made – please give any relevant details.	Burial ☐ Cremation ☐ Not to be specified ☐
DETAILS OF YOUR ESTATE	
27. Please provide details of the size of your estate by answering the following questions, if applicable **(this will help us gauge whether you should be considering Inheritance Tax or other tax planning):**	
A. Do you own land or property?	Yes ☐ No ☐
(i) How is the land/property owned? (If you are unsure then we can check the position at the Land Registry for a £3.00 fee)	Joint Tenants ☐ Tenants in Common (Shares) ☐ Solely owned ☐ Don't know ☐
(ii) With who is the land owned? (if applicable) **Name:** **Relationship to you:**	
B. Other Property (including property in someone else's name in which you have a beneficial interest)	

C. Cash in Bank and Building Society Accounts	
D. Premium bonds/National Savings Products	
E. Shares	
F. Pensions **Do you have any pension other than a state pension and/or a life assurance policy?**	Yes ☐ No ☐ Not Sure ☐
If yes, is this written in trust?	Yes ☐ No ☐ Not Sure ☐
G. Life assurance policy	
H. Business assets	
I. Overseas property or assets **Have you made another Will in another jurisdiction?** **If so, when and where?**	Yes ☐ No ☐ Not sure ☐
J. Are you domiciled in the UK for tax purposes? This impacts on	Yes ☐ No ☐ Not sure ☐

the extent of your estate on which Inheritance Tax will be payable.	
K. Liabilities (money that you owe)	
L. Have you made any gifts in excess of £3,000 per year in the last 7 years?	
M. Do you have any crypto assets?	
N. Would you like to receive advice regarding care fees	
O. Would you like to receive advice on estate planning?	
L. Do you have any other requirements with regard to your Will?	
MISCELLANEOUS	
28. Certainty (a national Will register) charges a fee of £30.00 to register your Will on a national Internet database. This third party fee would be added to your invoice as a further charge. **Please confirm whether you would like us to register your Will with Certainty on your behalf.**	Yes, I would like my Will to be registered at Certainty and agree to pay the fee. ☐ No, I would prefer not to register my Will at this time. ☐ I am not sure and would like to discuss this further. ☐

29. A Lasting Power of Attorney ("LPA") is a legal document which allows you to appoint one or more people to help you make decisions or to make decisions on your behalf in the event you have an accident or illness and are unable to make your own decisions. **Please confirm whether you would like further information in respect of a Lasting Power of Attorney.**	Yes, I would like to discuss an LPA for health and welfare. ☐ Yes, I would like to discuss an LPA for property and finances. ☐ No ☐
30. Can you think of anyone who might be likely to challenge your Will on the basis of capacity, undue influence, or for any other reason? If so, please give details."	
31. Finally, how did you find Curzon Green Solicitors?	

Thank you for completing our Questionnaire. Please return it by email to the team member who sent it to you, or **wills@curzongreen.co.uk**.

Alternatively, if you have any queries, please contact us today for a free no obligation discussion by calling either our Central London office on 020 3443 9576, or our High Wycombe office on 01494 451 355.