A.D.E WILLS · ESTATE PLANNING, OXFORD

The Will Writing Checklist

Safe to do business with Code Compliant

The single most useful thing you can do before we meet.

This checklist follows the exact order of your meeting, question by question. Clients who complete it beforehand have a shorter, calmer meeting and a Will that needs far less chasing afterwards — so we'd genuinely encourage it. **You don't need to complete it all**, and nothing here is binding. Rough figures are fine, gaps are expected, and if a section doesn't apply to you, skip it. If you're unsure about something, leave it and ask us on the day — that's exactly what we're here for.

How your meeting runs

two parts, in this order

PART ONE

Your estate — what you own and what you owe

We build a picture of your assets and debts, and crucially *how* each one is owned. Some things pass under your Will and some pass outside it entirely, so this tells us what your Will can actually control. It also gives us the general Inheritance Tax picture.

PART TWO

Your Will — the questions we'll work through

Who looks after things, who inherits what, what happens if someone can't inherit, and your wishes. This is the bulk of the meeting, and it's where your answers become the Will itself.

One checklist each

If you're a couple making Wills together, please **fill in a separate checklist each**, even where your answers will be identical. Your Wills are two separate legal documents and we take instructions from each of you in your own right.

Full names and addresses

For **everyone** you want named — executors, guardians, beneficiaries, pet carers — we need their **full name including any middle names** and their **current address**. This helps identify the people named in your Will when it comes to be read.

No account numbers

We never need them. Provider name and a rough value is all we ask, and it's only for the general Inheritance Tax picture. If you want to leave someone the balance of a particular account, say so on the day and we'll take the details then.

WHEN YOU'VE FINISHED

Fill it in on screen, save it, and email it back to edward@adewills.co.uk. That's much the easiest way, and the most useful — we can read it in advance and spend the meeting on the things that need your judgement rather than on taking down details. If you'd rather print it and bring it with you, that's absolutely fine too.

THIS CHECKLIST BELONGS TO

DATE OF YOUR MEETING

PART ONE

Your estate: what you own

Rough figures are fine — please don't look anything up or dig out statements. Tick whether each one is in your sole name or held jointly with someone else, and leave the rest blank.

01 What you own

estimates only — nearest few thousand is plenty

	SOLE	JOINT	ROUGH VALUE	NOTES — PROVIDER, WHO IT'S HELD WITH, ANYTHING USEFUL
Main residence	☐	☐	£	
Any other property	☐	☐	£	
Property or land abroad	☐	☐	£	
Life policies not in trust	☐	☐	£	
ISAs — cash	☐	☐	£	
ISAs — stocks and shares	☐	☐	£	
Pensions	☐	☐	£	
Death in service benefit	☐	☐	£	
Shares	☐	☐	£	
Unit trusts, investment bonds	☐	☐	£	
Business — sole trader or with your spouse	☐	☐	£	
Business — partnership or shareholding	☐	☐	£	
Bank and building society savings	☐	☐	£	
Personal belongings and valuables	☐	☐	£	
Digital assets	☐	☐	£	
Cars	☐	☐	£	
Anything else	☐	☐	£	
Rough total			£	

*Tick anything that applies to you, even if you'd rather not put a figure against it. **Property addresses go in the notes box on the last page** — there's room there for anything else you'd like us to know, too.*

02 How you own your property

the single most useful thing you can tell us

Joint tenants, or tenants in common?

This applies to **property and land** you own with someone else. There are two ways it can be held, and they behave completely differently when one of you passes away.

As **joint tenants**, you both own the whole of it. When one of you passes away, your share passes automatically to the other owner — *whatever your Will says*. While it is held that way, your Will cannot redirect it. It can be changed: a joint tenancy can be severed so that your share passes under your Will instead, and that is something we can talk through.

As **tenants in common**, you each own a distinct share, and your share passes under your Will like anything else.

Most couples genuinely don't know which they have, and **"not sure" is a perfectly good answer** — we can check the title register for you. But it changes what your Will can do, so please list any property you own with another person.

ADDRESS OF THE PROPERTY OR LAND	JOINT TENANTS	TENANTS IN COMMON	NOT SURE
	☐	☐	☐
	☐	☐	☐
	☐	☐	☐

03 What you owe

debts come off the estate before anyone inherits

	SOLE	JOINT	AMOUNT OUTSTANDING	NOTES — LENDER, OR ANYTHING USEFUL
Mortgage	☐	☐	£	
Personal loans	☐	☐	£	
Credit cards	☐	☐	£	
Funeral costs — estimate	☐	☐	£	
Anything else owing	☐	☐	£	
Rough total			£	

Why we ask for values — and where our advice stops

The figures give us the general Inheritance Tax picture, so we can tell you whether it's likely to be a concern and explain the reliefs and exemptions we can build into the way your Will is drafted.

We are not financial advisers and we don't give investment or tax planning advice. If that's what your situation calls for, we'll say so plainly and point you to someone properly qualified to help.

Some things don't pass under your Will at all

Pensions. Death benefits from a pension are dealt with by the scheme itself, not by your Will. Who receives them depends on the scheme's rules and on any nomination or expression of wish you've given the provider.

Life assurance. A policy may or may not be written into trust. If it is, it pays out to the trust rather than into your estate. Whether a policy is in trust — and whether it would be sensible to put one in trust — is a matter for your financial adviser or the policy provider. It isn't something we advise on.

Death in service benefits. These are dealt with under the rules of your employer's scheme, and are usually paid out separately from your estate.

Property held as joint tenants. Your share passes straight to the other owner, as explained above.

So for all of these, the useful question isn't what they're worth — it's **whether someone is already named on them**, and whether that's still the person you'd choose. Your provider can confirm.

PART TWO

Your Will: the questions we'll work through

Remember: for anyone you'd like named, we need their full name *including middle names* and their current address.

04 You

exactly as your name appears on official documents

YOUR FULL NAME, INCLUDING MIDDLE NAMES

DATE OF BIRTH

HOME ADDRESS, INCLUDING POSTCODE

TELEPHONE

EMAIL

YOUR MARITAL STATUS

☐ Single ☐ Married ☐ Civil partnership ☐ Living with a partner ☐ Divorced ☐ Widowed ☐ Separated

YOUR PARTNER'S FULL NAME, INCLUDING MIDDLE NAMES (IF APPLICABLE)

Are you both making Wills?

☐ Yes ☐ No ☐ Not applicable

Are you planning to marry or enter a civil partnership?

☐ Yes ☐ No ☐ Possibly, in time

Why we ask about marriage

Getting married or entering a civil partnership **cancels any Will you already have** — unless that Will was written specifically with that marriage in mind and says so. It's one of the most common ways people end up with no valid Will without realising.

So if there's a potential wedding on the horizon, do tell us. We can write your Will so it survives the day.

05 Your family and anyone else

full names, including middle names

The people we most often need are your **spouse or partner**, your **children** and your **grandchildren** — then anyone else you expect to mention in your Will, whoever they are. If someone might be named, list them here.

FULL NAME (INCL. MIDDLE NAMES)	RELATIONSHIP TO YOU	AGE	ADDRESS, IF NOT LIVING WITH YOU

Not enough room? Carry on in the notes box on the last page.

06 Guardians

only if you have children under 18

What a guardian does

A guardian is the person you'd choose to bring up your children if neither you nor their other parent were able to. Naming them puts your choice on record, rather than leaving a court to decide without knowing your wishes.

One guardian is enough. Name two at a level if you'd like them to act together; name one and they act alone, with the next level stepping in only if they can't.

Please do ask whoever you have in mind first — they're entitled to decline, and it's a difficult thing to discover after the event.

FULL NAME (INCL. MIDDLE NAMES)	RELATIONSHIP TO YOU	ADDRESS
First choice *who you'd like to act*		
If they can't act *your substitute*		
And if they can't either *optional*		

Should the guardians only step in if your children's other parent has already passed away?

For most families the answer is yes, and that is how a guardian appointment normally works. If you'd like your guardians to act even while the other parent is living, tick "let's discuss it".

☐ Yes ☐ Let's discuss it

07 Executors

please ask them first — they can decline

What executors and trustees actually do

Your **executors** are the people who sort everything out after you've gone: applying for probate, collecting in what you owned, settling debts and any tax, and passing things on to the people you've named.

Trustees look after anything that has to be held for a while — most often a child's inheritance until they're old enough to receive it. Most people appoint the same people to both roles, which is perfectly sensible.

We'd suggest two people in total. That can be two acting together at the first level, or one acting alone with a substitute at the next. Up to four can act at any one time.

And one thing people often ask: **yes, an executor can also inherit** under your Will, and most do.

FULL NAME (INCL. MIDDLE NAMES)	RELATIONSHIP TO YOU	ADDRESS
First choice *who you'd like to act*		
If they can't act *your substitutes*		
And if they can't either *optional*		

Should your executors also deal with your online accounts and digital assets?

Photos, email, social media, anything stored or paid for online.

☐ Yes ☐ No ☐ Let's discuss it

08 Funeral wishes and organ donation

not legally binding, but a real comfort to your family

Wishes rather than instructions

Funeral wishes in a Will are exactly that — wishes. The decision legally rests with your executors, and a Will is sometimes not found until after the funeral has been arranged. So do write them down here, and do mention them out loud to the people close to you as well.

BURIAL OR CREMATION

- ☐ Burial
- ☐ Cremation
- ☐ No strong preference
- ☐ I've made arrangements already

WHAT YOU'D LIKE THE DAY TO INCLUDE — MUSIC, READINGS, A PLACE, FLOWERS OR DONATIONS

WHAT SHOULD HAPPEN TO YOUR ASHES, IF YOU'RE BEING CREMATED

IF YOU'VE ALREADY MADE ARRANGEMENTS — WHO WITH, AND WHERE THE PAPERWORK IS

ORGAN AND TISSUE DONATION

You're already presumed to be a donor

Since 2020 in England, and 2015 in Wales, donation is **opt-out**: adults are generally presumed to agree unless they have recorded otherwise. Your family is still consulted, so a clear decision spares them guessing. A Will isn't where it takes effect — the **NHS Organ Donor Register** is — but telling us lets us record your wishes.

- ☐ Happy to donate anything that can be used
- ☐ Happy to donate, but only certain organs
- ☐ Happy to donate, except certain organs
- ☐ I've opted out
- ☐ Undecided

PURPOSES YOU'RE HAPPY WITH

Tick either, both, or neither.

- ☐ Organ donation and therapeutic purposes
- ☐ Medical and scientific research

IF ONLY CERTAIN ORGANS, OR ALL EXCEPT CERTAIN ORGANS — WHICH ONES? (FOR EXAMPLE EYES, HEART, BRAIN)

ANYTHING ELSE YOUR FAMILY SHOULD KNOW ABOUT YOUR WISHES

09 Gifts you'd like to leave

particular things, to particular people

Discretionary, never compulsory

Gifts of this kind are **entirely discretionary**. They are not compulsory, plenty of Wills contain none at all, and that is a perfectly ordinary Will — everything simply passes together under "Everything else" on the next page. If this section doesn't apply to you, leave it blank and we'll move straight on.

Where people do make gifts, they tend to be things of real **monetary or sentimental value** — a piece of jewellery, a watch, a painting, a set sum for a godchild. Smaller everyday items are usually better handled in a letter of wishes, which you can change at any time without formality.

A gift of **money** is a set sum. A **specific gift** is a particular item. Both come out of your estate before anything else is shared. Describe each item clearly enough that nobody has to guess which one you meant, and do name a second choice in case the person can't receive it.

GIFTS OF MONEY

AMOUNT	FULL NAME (INCL. MIDDLE NAMES)	ADDRESS	SECOND CHOICE, IF NEEDED
£			
£			
£			

SPECIFIC GIFTS — PARTICULAR ITEMS

ITEM OR KEEPSAKE	FULL NAME (INCL. MIDDLE NAMES)	ADDRESS	SECOND CHOICE

GIFTS TO CHARITY

CHARITY NAME, AND NUMBER IF YOU KNOW IT	AMOUNT OR SHARE	ANY PARTICULAR PURPOSE

Should your personal belongings go to your partner first?

Furniture, jewellery, everyday possessions — anything not given away above.

☐ Yes, to my partner ☐ No — share them out ☐ Let's discuss it

Do you have pets who'd need looking after?

You can name a person or an animal charity to take them on.

WHO YOU'D LIKE TO CARE FOR THEM

AND IF THEY CAN'T — A SECOND CHOICE

10 Everything else

a crucial part of your Will

What "everything else" means

Once the gifts on the previous page have been made, your debts paid, funeral costs covered and any tax settled, whatever is left over is called the **residuary estate** — or just **the residue**. For most people it's by far the largest part, because it includes the house and the savings.

This is a crucial clause to include in the Will. If a Will doesn't say clearly where the residue goes, the law decides that part instead — which is exactly what making a Will is meant to avoid.

Should everything pass to your partner first?

Tick yes and everything goes to your partner first, passing to the people below only once you have both gone. Tick no and it is shared out below straight away.

☐ Yes ☐ No ☐ Not applicable

THEN WHO SHOULD RECEIVE IT — AND HOW MUCH EACH?

You can split it in percentages (40% / 40% / 20%), in fractions (one third each), or simply share it equally. Percentages need to add up to 100 and fractions to one whole — but don't worry if yours don't yet, we'll work it through together.

FULL NAME (INCL. MIDDLE NAMES)	ADDRESS	RELATIONSHIP	SHARE

☐ Share it equally between everyone named above

☐ Use the shares I've written in

What if someone can't inherit?

It's unlikely, but somebody you've named might pass away before you do. Rather than leave it to chance, your Will can say in advance what should happen to their share. There are two common answers, and neither is more correct than the other — it depends what feels right to you.

You don't need to settle this before we meet. We know it's a heavy thing to sit and think about, and we'll talk it through together. Substitutes aren't compulsory — they simply make for a more comprehensive Will, one that still does what you wanted however things turn out.

If one of the people above can't inherit, what should happen to their share?

☐ It should pass to their own children

☐ It should be shared between the others named above

OR SOMETHING ELSE — TELL US HERE

And if that person can't inherit either?

Tick the first option and their share is simply shared out between whoever is left. If you'd rather something else happened, tell us below.

☐ Yes — share it between whoever is left

☐ I'd prefer something else (below)

WHAT YOU'D PREFER INSTEAD

11 Worth a thought

tick anything that applies — we'll talk it through on the day

- ☐ I have a partner I'm not married to
- ☐ There's someone I want to leave out of my Will
- ☐ I own or part-own a business
- ☐ A beneficiary would struggle managing money
- ☐ I've been asked to be a carer, or I have one
- ☐ I want my share of the home to reach my children
- ☐ I have stepchildren I haven't adopted
- ☐ I own property or assets abroad
- ☐ Someone I'd provide for has a disability
- ☐ I've been divorced, or I'm separated
- ☐ I'm worried about care fees or Inheritance Tax

PROTECTING YOUR SHARE OF THE HOME

If you'd like to be sure that **your share or interest in your home** eventually reaches your children, there are ways of doing that while still letting your co-owner live there for life. It usually comes up where a surviving co-owner, spouse or partner might **remarry, move in with someone new, or go into care**, and you'd rather your own share wasn't lost to care fees or passed on through a new partner's family. Just tell us it matters to you and we'll explain the options.

ANY EXISTING WILL — WHERE IS THE ORIGINAL KEPT?

Your new Will will revoke the old one, so please keep your current Will safe until the new one is signed — we'll take care of the old original after that.

12 Notes and questions

property addresses, extra names, anything at all

Use this for the addresses of any property you own, names that wouldn't fit earlier, questions you'd like to ask us however small, or anything you'd like us to have in mind before we meet.

That's everything

Gaps are completely normal — we'll go through it together and turn it into a Will that says exactly what you mean. We'll also ask a few questions on the day about your health and who's with you; that's routine, and nothing to prepare for.

CALL

01865 507174

EMAIL

info@adewills.co.uk

REQUEST A CALL BACK

adewills.co.uk/ contact-ade-wills

General information to help you prepare — not legal or financial advice, and no client relationship is created. Reflects the law in England and Wales. Nothing written here is binding or forms part of your Will. Once completed this sheet will hold personal financial details, so please keep it somewhere safe. A.D.E Estate Planning Limited, 46 Woodstock Road, Oxford, OX2 6HT · adewills.co.uk · Your Will is written by a full member of the Society of Will Writers, with full PI cover.