

## Will-Preparation Questionnaire

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THE EPISCOPAL DIOCESE OF CALIFORNIA  
OFFICE OF GIFT PLANNING  
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Gift Planning Officer

## THE BOOK OF COMMON PRAYER DIRECTIVE

“The Minister of the Congregation is directed to instruct the people, from time to time, about the duty of Christian parents to make prudent provision for the well-being of their families, and of all person to make wills, while they are in health, arranging for the disposal of their temporal goods, not neglecting, if they are able to leave bequests for religious and charitable uses.” (Book of Common Prayer, p. 445.)

## CONFIDENTIAL WILL QUESTIONNAIRE

To follow the Book of Common Prayer Directive, the Episcopal Diocese of California has arranged for Will Writing Appointments in which attorneys have volunteered their time to discuss the writing of a will for you. This Will-Preparation Questionnaire is intended to assist you and your attorney in creating a will for you. It is not a will. Its completion is completely voluntary. The more accurately you complete the questionnaire the better your attorney will be able to assist you. At the beginning of your will writing interview, please present your questionnaire to the attorney.

If you have questions, please make a note of them so that you may discuss them when you meet with your attorney. If you do not understand a question, leave it blank and make a note of the question.

**Your responses to this Will-Preparation Questionnaire are strictly CONFIDENTIAL between you and your attorney. By law, your attorney may not share your responses with anyone, to include your spouse, children, family, minister, church, the Episcopal Diocese of California or any other person or entity, without your permission. If you have any questions regarding the confidentiality of this questionnaire, raise them with your attorney.**

**WARNING:** The Episcopal Diocese of California Will Writing Appointment is intended to assist you in writing a will. A will is one component of a complete estate plan. A complete estate plan may include the use of a will, joint tenancies, beneficiary designations, various trusts, durable power of attorney for property management and advance health care directive. You are encouraged to discuss the various components of a complete estate plan with your attorney. However, the creation of a complete estate plan is beyond the scope of the Episcopal Diocese of California Will Writing Appointment.



**IMPORTANT FAMILY QUESTIONS**  
 (Please check "Yes" or "No" for your answer)

	Yes	No
Do you have any adopted children?		
Do any have any children with special educational, medical, or physical needs?		
Have you or your spouse been divorced?		
Have you and your spouse ever signed a pre- or post-marriage contract?		
Have you or your spouse been widowed?		
Have you lived in any other state other than California while married to your current spouse?		
Have you or your spouse ever filed federal or state estate tax returns?		
Have you or your spouse completed previous will, trust or estate planning?		
Are both you and your spouse United States citizens?		
If you answered "No," are either you or your spouse a resident or a non-resident alien?		

**EXECUTOR**

List the full name of the person who you wish to serve as your executor:

Proposed Executor: \_\_\_\_\_

Successor Executor #1: \_\_\_\_\_

Successor Executor #2: \_\_\_\_\_

## ASSET SUMMARY

ASSETS	Amount <sup>1</sup>		
	Single Person	Spouse 1	Spouse 2
Cash			
Bank Accounts			
Investment Accounts			
Real Property including residence			
Stocks			
Bonds			
Personal Effects			
Retirement Plans (IRA, 401(k), etc.)			
Life Insurance Policies and Annuities			
Mortgages, Notes, and Other Receivables			
Partnership Interests			
Corporate Business and Professional Interests			
Farm and Ranch Interests			
Oil, Gas, and Mineral Interests			
Anticipated Inheritance, Gift, or Judgment			
Other Assets			
Total Assets			
LIABILITIES	Amount		
	Single Person	Spouse 1	Spouse 2
Loans payable			
Accounts Payable			
Real Estate Mortgages Payable			
Contingent Liabilities			
Loans against life insurance			
Unpaid taxes			
Other obligations			
_____			
_____			
Total Liabilities			
Net Estate			

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<sup>1</sup> Joint Tenancy (JT), Tenancy in Common (TIC) and Community Property (CP) values are divided ½ in the Spouse 1 column and ½ in the Spouse 2 column.

## **CLIENT NOTES AND QUESTIONS**

## ATTORNEY NOTES



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**CONSENT TO CONFLICTS OF INTEREST  
BETWEEN MULTIPLE CLIENTS**

**(Complete this consent if there are multiple clients  
seeking advice such as a husband and a wife or domestic partners.)**

Conflicts of interest frequently occur in estate planning and, by law, attorneys may not represent multiple clients, without the informed written consent of each client of the attorney's duty of confidentiality and the potential for conflicts of interest between the clients.

When multiple clients, such as husbands and wives or domestic partners, are represented by one attorney, conflicts of interest may arise. These conflicts can include whether a communication or item of information should be withheld from one client at the request of another, how property should be held (e.g., in one name, in both names as community property or joint tenancy), and how property should be disposed of, and what person should serve in a fiduciary capacity (e.g., executor, trustee, guardian). In addition, clients may have different interests, goals, or perspectives regarding these or other matters.

By law, an attorney may not disclose confidential communications or secrets of a client unless the client consents to that disclosure. If a client consents the attorney may disclose secrets and confidential communications unless the client informs the attorney that a particular secret or communication be considered confidential and withheld from others.

By signing below each client expressly consents to multiple representation despite the possibility of conflict and the disclosure of each client's secrets and confidential communications to the other client. Nothing in this provision is intended to authorize, under any circumstances, the attorney's disclosure of confidential information to any individual or entity other than the other client.

The attorney may not provide will writing services unless each potential client first signs this CONSENT TO CONFLICTS OF INTEREST authorizing the attorney to perform the services with the client's knowledge that a conflict of interest may exist and authorizing a disclosure of secrets and confidential communications between the clients.

Each client remains completely free to seek other counsel at any time even if he or she has signed this consent form. If you have any questions concerning signing this consent, you should discuss them with your attorney prior to signing.

**CONSENT**

Each of the undersigned consents and gives approval to representation by the attorney.

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

# **CONSENT TO CONFLICTS OF INTERESTS BETWEEN THE CLIENT AND THE EPISCOPAL DIOCESE OF CALIFORNIA**

Conflicts of interest frequently occur in estate planning and by law attorneys may not represent a client, without the informed written consent of the client, if the attorney has an interest in the subject matter of the employment.

The attorneys who participate in this will writing program volunteer their time and provide their services, in part, with the hope that those attending will include the EPISCOPAL DIOCESE OF CALIFORNIA and ministries belonging to it in their estate plans. To this extent, claims could be made that the lawyers providing these legal services have conflicting interests between the client and the EPISCOPAL DIOCESE OF CALIFORNIA and ministries belonging to it.

Consequently, the attorney may not provide will writing services unless each potential client first signs this CONSENT TO CONFLICTS OF INTEREST authorizing the attorney to perform the services with the client's knowledge that a conflict of interest may exist.

Each client remains completely free to seek other counsel at any time even if he or she has signed this consent form. If you have any questions concerning signing this consent, you should discuss them with your attorney prior to signing.

## **CONSENT**

Each of the undersigned consents and gives approval to representation by the attorney.

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

For more information, visit <http://www.EpiscopalGift.org> or call (415) 869-7811.

