Will Discussion Checklist

Purpose This checklist helps families have productive, compassionate conversations about estate planning while ensuring their loved one's wishes are properly documented and understood. Use this guide to approach sensitive will discussions with respect for autonomy, gather essential information systematically, and support your loved one through the estate planning process.

How to Use This Checklist: Choose a quiet, private time when everyone is relaxed to begin these conversations. Prepare specific questions rather than broad topics and approach each discussion with patience and respect for your loved one's choices. Work through sections gradually over multiple conversations rather than trying to cover everything at once.

Conversation Preparation

- [ ] **Schedule quiet, private time** when both parties are relaxed
- [ ] Research basic will concepts to understand terminology
- [ ] Prepare specific questions rather than broad discussion topics
- [ ] **Approach with respect for their autonomy** and decision-making rights
- [ ] Mentally prepare for potential emotional responses from both parties

Locating and Accessing the Will

- [ ] **Ask if a current will exists** and when it was last updated
- [ ] Determine where the original document is securely stored
- [ ] Identify who else knows about the will's location
- [ ] Confirm whether the will was professionally prepared
- [ ] **Locate all copies** of the will and related documents
- [ ] Ask about references to other important estate planning documents

Understanding Executor and Leadership Roles

- [ ] **Confirm who is named as primary executor**
- [ ] Identify any backup or successor executors
- [ ] Discuss reasoning behind executor selection
- [ ] Verify executor contact information is current
- [ ] **Ensure named executor understands their role** and responsibilities

Reviewing Guardianship Provisions

- [ ] **Identify named guardians** for any dependents or minor children

- ☐ Understand separation between physical care and financial guardianship
- ☐ Discuss whether named guardians are still appropriate choices
- ☐ Verify guardians are aware of their potential responsibilities
- ☐ Consider backup guardian appointments

Documenting Specific Bequests and Gifts

- ☐ **Note items specifically mentioned** for particular recipients
- ☐ Understand reasoning behind special bequests and gifts
- ☐ Identify sentimental items not mentioned that should be included
- ☐ **Discuss any promised items** not reflected in current will
- ☐ Consider creating personal property memorandum for smaller items

Understanding Estate Distribution

- ☐ **Review how remainder of estate will be distributed**
- ☐ Identify all beneficiaries of the residuary estate
- ☐ Discuss rationale for the distribution plan
- ☐ Address any potential family concerns about distribution
- ☐ Understand percentage allocations and specific dollar amounts

Reviewing Trust Provisions

- ☐ **Identify any trusts established** within the will
- ☐ Understand the purpose and goals of each trust
- ☐ Note trustees and successor trustees for each trust
- ☐ Discuss how trust assets will be managed and distributed
- ☐ **Determine when trusts will terminate** and final distributions occur

Verifying Document Completeness

- ☐ **Confirm proper signing and witnessing** of the will
- ☐ Verify notarization if required by state law
- ☐ Check for letter of instruction or personal property memorandum references
- ☐ **Review significant life changes** since will creation
- ☐ Identify assets not controlled by will (joint property, beneficiary accounts)

Gathering Supporting Documentation

- ☐ **Create comprehensive list of financial accounts**
- ☐ Compile real estate and valuable property information

- [ ] Gather insurance policies and current beneficiary designations
- [ ] **Document digital assets and access information**
- [ ] Locate important personal documents (birth certificates, military papers)
- [ ] Compile recent tax returns and financial statements

Professional Support and Updates

- [ ] **Discuss attorney review** of current will
- [ ] Identify needed updates due to life changes or law changes
- [ ] Consider financial advisor consultation for asset management
- [ ] **Review power of attorney arrangements**
- [ ] Ensure healthcare directives complement estate planning

Family Communication Planning

- [ ] **Discuss how to inform family members** about will provisions
- [ ] Plan for potential conflicts or misunderstandings
- [ ] Consider family meeting with executor present
- [ ] **Develop strategies for explaining difficult decisions**
- [ ] Create system for answering family questions

Implementation and Follow-Up

- [ ] **Schedule follow-up conversations** for specific sections needing attention
- [ ] Create timeline for addressing identified issues or updates
- [ ] Set calendar reminders for periodic will reviews
- [ ] **Plan secure storage solutions** for will and related documents
- [ ] Compile emergency contact information for all relevant parties

Notes and Action Items

- [ ] **Document specific concerns** or questions raised during discussions
- [ ] Note any immediate action items requiring attention
- [ ] Record decisions made about updates or changes needed
- [ ] Plan next conversation topics and timing
- [ ] **Track progress** on completing identified tasks

Remember: This process supports your loved one in ensuring their wishes are clearly documented—it's not about taking control or imposing your views. Approach each conversation with compassion, patience, and deep respect for their autonomy and life choices.