Will Drafting Checklist

- ☐ 1. Take the time to listen and ask more questions.
  - ☐ Discuss and identify all assets, their registration and ownership.
  - y/n Are there any prior wills?
  - y/n Blended families?
  - y/n Past marriages?
  - y/n Other children or step-children?
- ☐ 2. Take detailed notes and assume you will be a witness.
  - ☐ Make a record of your instructions and your advice.
- ☐ 3. Consider capacity and watch out for undue influence.
  - ☐ Document the steps you have taken to satisfy yourself.
- ☐ 4. Compare the drafted will against your client's instruction notes.
- ☐ 5. Do the math.
  - y/n Will the estate assets support the intended gifts and donations?
  - ☐ What effect will the taxes have on the estate assets?
- ☐ 6. Be careful with precedents - one size does not fit all. Proof read, and review the will again to ensure it reflects your client's intentions.
- ☐ 7. Don't dabble.
  - ☐ Obtain tax advice or help if needed, or refer your client to a tax lawyer.
  - ☐ Explain the risks in writing of not obtaining tax advice.
- ☐ 8. Tasks for the client to do?
  - ☐ Record it in writing and follow up.
- ☐ 9. Check that the will is properly executed. Don't make assumptions.