Preparing for your will consultation

A little preparation helps us draft a will that reflects your wishes and suits your family's circumstances. Please gather as much of the following as you can before we meet. You can also complete our online questionnaire at cmelaw.co.za/will-questionnaire.

About you

- [ ] Your identity document
- [ ] Your marriage certificate and antenuptial contract, if you are married. If you are married in community of property, you may only leave your half of the joint estate in your will
- [ ] Any divorce order and settlement agreement, and details of any maintenance you pay to a former spouse or children
- [ ] A copy of your current will, if you have one

Your family

- [ ] Full names and dates of birth of your spouse or partner, children and stepchildren
- [ ] The person you would like to appoint as guardian of your minor children
- [ ] Details of any dependant with special needs who may require ongoing care

Your assets and debts

- [ ] Property you own, in South Africa or elsewhere
- [ ] Vehicles, bank accounts and investments
- [ ] Life policies, noting any beneficiaries you have already nominated
- [ ] Retirement funds, such as pension, provident and retirement annuity funds
- [ ] Business interests, including any shareholders' or partnership agreement
- [ ] Your home loan and any other significant debts

Your wishes

- [ ] Who you would like to inherit, and in what shares
- [ ] Any specific items or amounts you wish to leave to particular people or charities
- [ ] Who you would like to appoint as executor of your estate
- [ ] Whether you would like a testamentary trust to manage an inheritance for minor children or other beneficiaries
- [ ] Your wishes about medical treatment at the end of life, if you would like a living will
- [ ] Your funeral wishes, which you should also share with your family, as a will is often only read after the funeral

This checklist is general information and not legal advice. Requirements may vary with your circumstances.

Retirement fund benefits are distributed by the fund's trustees under section 37C of the Pension Funds Act, and policies with a nominated beneficiary are paid directly to that person, so neither is governed by your will. If a minor inherits and there is no trust, the inheritance is usually paid into the Guardian's Fund until the child turns 18.

Ready to book? Call or WhatsApp 069 573 0023, email info@cmelaw.co.za, or complete the will questionnaire at cmelaw.co.za/will-questionnaire.

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