



Contact Legal Assistance

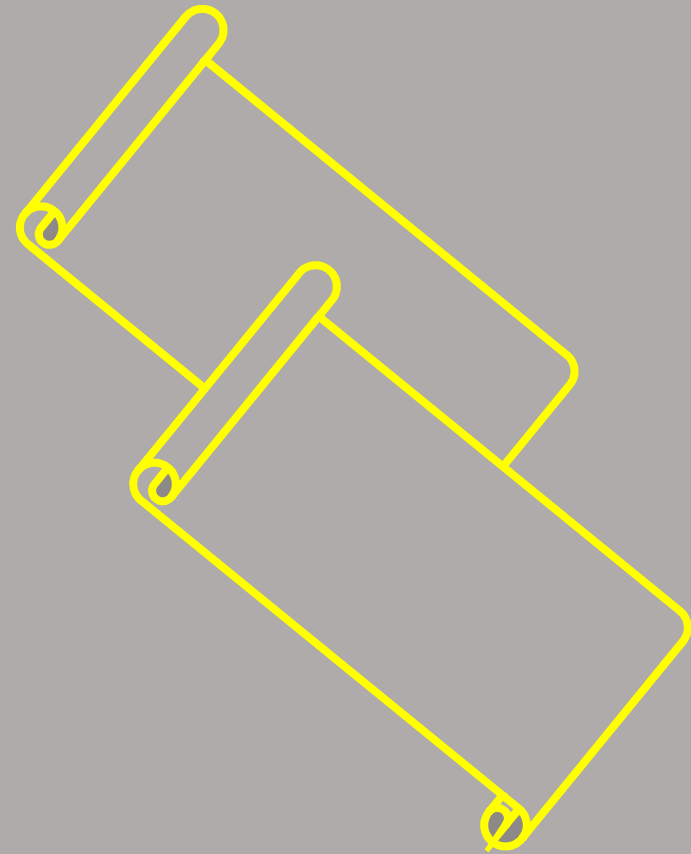
For legal assistance generally, make an appointment with the 412 TW/JA legal office

Walk-ins available for powers of attorney and notaries Monday—Thursday 9am-3pm

Phone: 661-277-4310

Email: 412tw.ja.workflow@us.af.mil

Address: Trailer at 1 S. Rosamond Blvd.,
Edwards AFB, 93524



Wills, Trusts, Estates

Edwards Air Force Base
412 TW/JA





Table of Contents

Wills in General 1

The Process of a Legal Will 2

Filing with the Air Force 3

Frequently Answered Tips..... 4

Contact Legal Assistance 6



per capita and per stirpes. Per capita cuts off a gift should your beneficiary predecease you, so your deceased child's children would not receive your child's share, which would instead be divided among the other named beneficiaries. Per stirpes would transfer your bequest to a deceased child further down, so those grandchildren could inherit.

- You may write a letter of instruction that informs your heirs of the intentions behind the distribution of your property. Such a letter would not be legally binding though. A letter can also inform the executor of the location of the original will. It may also contain extensive lists of specific gifts that would be impracticable to put into the will itself.
- You may also compose a funeral arrangements worksheet with our office that contains instructions about how your remains will be taken care of, eg. cremation or burial, and specify if you want to donate organs.
- If you desire to set up a trust, you may impose conditions on the release of funds from the trust, as well as have spendthrift provisions to prevent beneficiaries from spending the money too quickly.
- The will we prepare for you can also contain instructions about military burial honors, including which beneficiary your honorary American flag goes to.



Frequently Answered Tips

- Your state of domicile (where you permanently reside and make your home) controls which state you should file your will in.
- An executor of your estate is the trusted individual given the responsibility of making sure your property is disbursed according to your wishes. It is a good idea for this individual to be located where the bulk of your property is located.
- Life insurance benefits are not usually passed through your will, as the beneficiaries are already listed directly with SGLI beforehand.
- A living will expresses your desire to be or not be kept on life support if you are suffering from a terminal illness or injury and are unable to speak for yourself.
- If you want your will to address your minor children, you will need to answer two questions: who will raise the children (known as the Guardian), and who will handle the property or money they inherit (known as the Trustee). Due to age, your parents may not be the best guardians or trustees for your children.
- You can leave your estate to your children in two ways:



Wills in General



Why Have a Will?

A will might seem old-fashioned, unnecessary, or confusing, but there are great advantages in having a will. A will documents your intentions in a clear, concise written form that helps you provide for your loved ones with minimal expense to your property. Someone who passes without a will, known as intestacy, may incur significant costs on their estate.



What Can a Will Do?

A will can do more than clearly convey the disposition of property after one's passing. A will allows the testator to appoint an executor, make arrangements for minor children, make the property's transference dependent on certain conditions, make funeral arrangements, establish trusts and custodian accounts, and minimize federal and state estate tax liability.



How Can Legal Assistance Help You?

The Legal Assistance office can prepare wills for you, as well as living wills, specific estate bequests, advance healthcare directives, trusts, guardianships, powers of attorney, and SGLI counseling.



The Process of a Legal Will

The process of creating a valid will contains many stringent requirements developed over centuries of common and statutory law. These requirements were instituted to guard against fraud and ensure the wishes of the deceased could be captured accurately and followed faithfully.

Chief among these requirements is that a valid will must be witnessed and signed by two persons. In your will appointment with us, we provide these two witnesses, and you will find they join us at the end of the appointment, when the will is ready to be signed.

Testators must be at least eighteen years of age, of sound mind, and possess a reasonable understanding of their property in order to be deemed legally capable of forming a will. Wills made under conditions of duress or undue influence from others are invalid.

Other legal requirements stipulate the precise language a testator must use to give effect to a particular action, such as disinheriting a child.

Amendments to wills are called codicils, and have the same stringent legal requirements as a whole will, including two witnesses. For this reason, it is generally preferable to make an entirely new will rather than a codicil.

Keep in mind that beneficiaries take property subject to existing liens or encumbrances on the property.



Filing with the Air Force

Submit Your Will Worksheet

After you make an appointment with our office, you will need to submit your wills information before the actual appointment. The first step is to go to our legal assistance website at aflegalassistance.law.af.mil. Then go to the "Legal Worksheets" tab and select the "Create Estate Planning Package" button to begin your information input. Make sure to save your ticket number so you can return to your saved worksheet later.

While you will have an opportunity to change your information at the actual appointment, it is still important that you think through the disposition of your property carefully. The worksheet allows for easy information transference to create a will for your spouse too.

Go to aflegalassistance.law.af.mil

Attend Your Will Appointment

Attend your will appointment for signing and will execution. If your spouse has created a will, he or she must attend as well.

Keep Your Will

Only the original copy of the will is ever valid. Make sure to keep your will in a safe place, eg. the freezer. Also make sure that the designated executor of your estate knows where the will is. Do not remove staples from the will or do anything that could give someone the opportunity to question the will's validity. Do not make copies of the will.