



U.S. AIR FORCE

DO I NEED A WILL?



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2005I. What is a will?

A will is a legal document that allows you to decide how and to whom your property will be distributed after you die. It also allows you to nominate the person who will be the guardian of your minor children, and allows you to pick an executor to oversee the final disposition of your estate according to your desires. Wills are very flexible documents, and you have great discretion in how they are drafted. If you die without a will, however, your property will pass to your relatives in a predetermined formula governed by state law, and the court will appoint people to administer your estate and care for your children.

Note that a will does not address every type of property that you own. Some property such as jointly held real estate or bank accounts, life insurance proceeds, or retirement benefits may pass independent of the will depending on the law of your state of legal residence. Therefore, don't assume that making or changing a will affects every asset you may have. If you have any questions about whether certain assets are affected by your will, please ask your legal assistance attorney and he or she will advise you of appropriate methods to have property pass to the persons you wish to inherit it.

II. Do I need a will?

You need a will if:

1. You know who receives your property under state law when you die without a will and you desire a different distribution.
2. You have or are expecting a child and would like to designate a legal guardian for him or her.
3. You own real estate.
4. You desire to name an executor to collect assets, pay debts, and distribute your estate rather than have the court pick one for you.

III. Where can I have a will drafted and how much will it cost?

The legal office, located at 101 S. D.L. Ingram Blvd. (Bldg 60 - across from the wing headquarters building) will draft your will during legal assistance hours. Walk-in legal assistance hours are Mondays (1300-1530) and Wednesdays (0730-1000); legal assistance appointments are available on Tuesdays (0730-1030) and Thursdays (1230-1530). Upon arrival at the legal office, you will be asked to complete a will worksheet, which a legal assistance attorney will use in drafting your will. The attorney will answer any questions you may have about the process, as well as review and explain the will once it is drafted. You will be able to

sign it and take it with you the same day. The entire process takes about one hour depending on your needs.

Regarding the cost, three words come to mind ... free, free, and free. Where it might cost you \$200 or more to have a civilian attorney draft a will for you, Air Force legal assistance attorneys draft them free of charge for military members (active duty, reservists on Title 10 status, and retirees) and their family members with military identification.

IV. Can I update my will on my own?

No! You should never add or cross out wording in your will. If your current will no longer reflects your wishes or family needs, then you should have a new will drafted. If you have recently experienced a major event in your life, such as the birth of a child, the death of a spouse, a marriage or a divorce, or even inheriting property or winning the lottery, then you may want to have a new will drafted. If you have any questions relating to your will, please contact an attorney at the legal office to review your current will and advise you whether a new will is needed.

V. How do I change my will?

Come in and visit us. Any of our attorneys will be happy to go over your will with you and help you decide if you need to change it. If you discover that you need to change your will, please fill out a will worksheet and a legal assistance attorney will draft a new will for you.

VI. Will my SGLI (or other life insurance) benefits pass under my will?

Not usually. Like other life insurance benefits, your SGLI is property not subject to probate. Wills typically have no effect on SGLI proceeds. SGLI proceeds will be paid to the beneficiaries named in the SGLI contract regardless of what the will says. We advise you to ensure that your SGLI beneficiary information is current and correct. Please visit the local Military Personnel Flight (MPF) to make any necessary changes to your SGLI.

VII. Will my real estate pass under my will?

It depends. How real property passes depends on a number of factors, such as the state where the real estate is located, the type of deed, and other persons' claims to the title. If you have specific questions, bring your deed in and a legal assistance attorney can tell you how your property will pass.

VIII. Will my personal property (bank accounts, cars, etc.) pass under my will?

It depends! As with real estate, if the personal property is titled in your name only, it will probably pass under the will. If the property is owned or titled to you and another person (a joint bank account, for example), then upon your death, that property may pass outside the will and automatically become the property of that other person. Once again, any specific questions you have can be addressed by a legal assistance attorney.

IX. So, can we talk about wills?

If you would like a new will, need to have your current will reviewed, or have any questions regarding wills, please come see a legal assistance attorney.

X. Again, where are you and when can I come in?

The legal office is at 101 S DL Ingram Blvd on base (Bldg 60), across from wing headquarters. Walk-in legal assistance is available on Mondays (1300-1530) and Wednesdays (0730-1000), and legal assistance appointments are available on Tuesdays (1000-1230) and Thursdays (1230-1530).