



Your Legacy

A Guide to Making Your
Wishes Come True

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

“The Arthritis Foundation’s planning resources helped give us peace of mind – and save time and money.”

Jim and Elizabeth first turned to the Arthritis Foundation for information to control arthritis. Then they realized we also have free planning resources to help our friends make educated planning decisions.



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How can this guide help you?

Creating a will may be the most important thing you do in your lifetime. It can also be the most rewarding and the most difficult. But a will is necessary to ensure that your loved ones are provided for, and it enables you to establish a lasting legacy for the people and causes you care about. Surprisingly, almost seven out of ten Americans die without a will, leaving their hard-earned assets vulnerable to the decisions of others, and causing even more pain and loss to their heirs.

At the Arthritis Foundation, we are committed to helping people make the most of their assets. That is why we created this guide to simplify the difficult task of creating or updating your will. We hope it will provide the information and motivation you need to get started. If any of your questions are left unanswered, or if you need additional information, we are just a phone call away.

**You can call us toll-free at
1-866-528-8687 or get more
information on the Internet at
www.arthritislegacy.org**



Test Your Knowledge on Wills

We've developed the following true/false quiz so you can measure what you already know. Many answers are discussed in greater detail in the Q&A section of this guide.

1. A hand-written will, unwitnessed, can be valid. ☐ True ☐ False
2. The person you name to be the executor of your will is legally obligated to do so. ☐ True ☐ False
3. If you die without a will, everything automatically goes to your spouse. ☐ True ☐ False
4. Your will is equally valid in any state. ☐ True ☐ False
5. You can change your will at any time without rewriting it. ☐ True ☐ False
6. Property you leave your spouse is exempt from estate tax. ☐ True ☐ False
7. Anyone can serve as a witness to your will. ☐ True ☐ False
8. A properly written will allows your estate to avoid probate court. ☐ True ☐ False
9. An outdated will may be worse than not having a will at all. ☐ True ☐ False
10. A will is not necessary if couples hold their property jointly with mutual rights of survivorship. ☐ True ☐ False

Answers: 1. T; 2. F; 3. F; 4. F; 5. T; 6. T; 7. F; 8. F; 9. T; 10. F

What's included in this guide?

This guide is designed to provide you with all the resources you need to begin writing or updating your will.

Before filling out the planning forms, we encourage you to read through the first part of this guide. It tests your knowledge and answers many of the common questions people raise when drafting a will. This guide also explains what happens without a will. You will see why it is such an important document.

The planning forms at the back of this guide were created specifically to help our friends account for their assets and outline the essential points of their will. They are a great resource for you. Completing and taking them when you meet with your advisor could save you money and time.

Questions & Answers

Q. WHAT HAPPENS WITHOUT A WILL?

- A.** Without a properly drawn will, the state in which you reside determines how your assets are distributed. There are laws designed to account for the possibility of not having a will, but laws vary by state and may not distribute your property according to your wishes.

In some states, the surviving spouse will receive all of your assets. In others, the assets will be divided among a spouse and children or other relatives. If there are no surviving heirs, the state often takes possession of the entire estate. Even if your family does receive the bulk of your estate, taxes and legal fees can consume a large portion of your assets.

Q. HOW DO I CREATE A WILL?

- A.** Creating a will can be much simpler than you might expect. The planning forms in this guide will help you get started. In general, your will involves the following steps:
1. Value your estate.
 2. Determine how your assets will be distributed.
 3. Name an executor.
 4. Name the trustees and guardian(s), if applicable.

Q. HOW DO I KNOW IF MY WILL IS ADEQUATE?

- A.** It is advisable to have your will prepared and reviewed by a professional advisor. While a hand-written, unwitnessed will (called a holographic will) may be valid, these are easier to contest and can delay the probate process. It is always best to have two witnesses verify that you've signed your will.

Q. CAN I CHANGE MY WILL WITHOUT STARTING OVER?

- A.** In some cases, changing your will may simply require an amendment, called a codicil, as an addition to your existing will. If you have an attorney who helped draft your will, he or she can quickly and inexpensively help you create a codicil to satisfy your wishes.

Q. HOW OFTEN SHOULD I UPDATE MY WILL?

A. Even if nothing substantial changes, we recommend reviewing your will yearly to be sure there are no additional assets or considerations that need to be included. You should update your will immediately if:

- ✓ Your marital status changes.
- ✓ You move to a new state.
- ✓ You or someone in your family has a new child or passes away.
- ✓ You acquire or dispose of a substantial asset, such as a home.
- ✓ Your income or financial status changes.
- ✓ Estate tax laws change.

Q. WHAT IS NOT COVERED BY MY WILL?

A. There are a few assets that will not be governed by your will. It is a good idea to review this property in addition to your will.

LIFE INSURANCE - The beneficiary named in your life insurance policy will receive the funds, regardless of what is stated in your will.

RETIREMENT PLAN - Like life insurance, money from your retirement plan goes to the named beneficiary in the plan.

JOINTLY OWNED PROPERTY - Any property you own with a spouse or other partner - real estate, cars, businesses, etc. - will go to the surviving partner, if rights of survivorship are properly established.

LIVING TRUST - Property placed in a living trust during your lifetime is distributed and administered under the trust provisions after your death.

"I was determined that arthritis would not hold me back. Now I'm getting back at arthritis."

Paul discovered ways to meet his goals - increasing income, bypassing capital gains on appreciated assets and eliminating estate taxes - while he supports our search for a cure through a special gift arrangement with the Arthritis Foundation.



Q. WHAT SHOULD I KNOW ABOUT ESTATE TAXES?

- A.** It is possible for estate taxes to consume a large portion of your assets. Proper planning is essential now to prevent loved ones from scrambling to sell assets and meet state-mandated deadlines. With a properly drawn will, there are many ways to avoid estate taxes, like the charitable bequest we will discuss later.

Q. WHAT IS A LEGACY?

- A.** Your personal legacy is a wonderful way to inspire in others the qualities that mean the most to you. The plans you make today, including your will, define your legacy.

Q. HOW DO I ESTABLISH MY LEGACY?

- A.** The most basic and important part of establishing your legacy is having a proper will. It's the only way to make sure your wishes for the future are carried out. Through a proper will, you can have a significant impact forever on the people and causes you care about. We hope you will consider leaving a pain-free legacy by including your support of the Arthritis Foundation in your plans.

If you would like to learn more or need help creating your plans to make your wishes come true, contact us or your advisor. There is no cost or obligation to make any gift whatsoever in return for our free planning services.

Want to help create a pain-free legacy by including a gift to the Arthritis Foundation in your will? The following language may be helpful:

"I give [state dollar amount or ____%] of the remainder and residue of property owned at my death, whether real or personal, and wherever located, to the Arthritis Foundation, Inc., a Georgia Corporation to be used for the general purposes of the Foundation."

"I'm not just fighting to cure my arthritis. I'm fighting to cure yours, too."

Joan has named the Arthritis Foundation as beneficiary of a percentage of her assets in her will to help make arthritis a thing of the past.



A Perfect Partnership

At the Arthritis Foundation, our mission is simple, but achieving it is not. We rely on supporters who give their time and money to help us make a difference. How much of a difference does it make?



Over the decades, we have funded thousands of researchers who have made tremendous breakthroughs. These grant recipients have made significant advances toward our mission, helping dramatically improve the lives of millions of men, women and children who suffer from arthritis.

Despite the number of grants and awards we are able to offer, there are other worthwhile and potentially vital grants that go unfunded. We know there's a limit to what any one of us can do alone to help find a cure, but there is way you can support our mission.

Approximately one-third of our funding comes from wills and trusts, both large and small. The easiest way to remember the Arthritis Foundation in your will is through a charitable bequest.

A charitable bequest is simply a gift made to charity through your will, and, in addition to continuing your valuable support of the Arthritis Foundation, including a bequest in your will can offer several benefits.

- Charitable gifts in your will are 100 percent deductible for estate tax purposes.
- A charitable bequest could reduce or eliminate estate taxes.
- Supporters can often make larger gifts through their will than are possible with current income.
- You can designate your bequest be used as needed, or specify an area of interest to you.

Financial rewards are only a small part of the benefit a partnership with the Arthritis Foundation provides. By including the Foundation in your will, you extend your support beyond your lifetime, creating a personal legacy of caring and support for the future.

Whether you leave a bequest or not, we are always here to provide planning assistance for our supporters, and there is no obligation of any kind. We are happy to offer additional help with your will or information on other ways to preserve more of your estate for future generations.

Call today toll-free at 1-866-528-8687 to start the partnership of a lifetime.

- **Note: The Arthritis Foundation does not provide legal or accounting advice.**
- **Potential supporters are encouraged to consult their personal estate and/or tax**
- **advisors concerning specific charitable arrangements.**

Will Planning Forms

Date ____/____/____ Copies of These Forms Given To _____

Your Contact Information

Your Name _____ Address _____
City/State/Zip _____ Phone _____
Email _____ Spouse's Name _____
Occupation _____ Citizenship _____
Social Security Number _____ Date of Birth ____/____/____
Employer Name _____ Address _____
City/State/Zip _____ Employer Phone _____
Supervisor and/or Associate Name(s) _____

Location of Important Documents

Original Will _____ Living Will _____ Tax Returns _____
Birth Certificate _____ Adoption Documents _____ School Transcripts _____
Military Records _____ Marriage Certificate _____ Prenuptial Agreement _____
Passport (Number/Location) _____ Cemetery Deed (Location) _____

Family Information

Mother _____ Address _____
City/State/Zip _____ Phone _____ Email _____
Father _____ Address _____
City/State/Zip _____ Phone _____ Email _____
Brother/Sister _____ Address _____
City/State/Zip _____ Phone _____ Email _____
Brother/Sister _____ Address _____
City/State/Zip _____ Phone _____ Email _____
Son/Daughter _____ Address _____
City/State/Zip _____ Phone _____ Email _____
Son/Daughter _____ Address _____
City/State/Zip _____ Phone _____ Email _____
Other Relative _____ Address _____
City/State/Zip _____ Phone _____ Email _____
Former Spouse _____ Address _____
City/State/Zip _____ Phone _____ Email _____

Property Inventory

BANK & INVESTMENT ACCOUNTS

Bank/Institution Name _____

Address _____ City/State/Zip _____

Name on Account _____ Account # _____

Bank/Institution Name _____

Address _____ City/State/Zip _____

Name on Account _____ Account # _____

TRUST ACCOUNTS

Address _____ City/State/Zip _____

Type of Trust/Tax ID # _____ Current Trustee's Name _____

Address _____ City/State/Zip _____

Beneficiary(ies) _____

ANNUITIES

Issuer _____ Beneficiary(ies) _____

Death Benefit _____ Cash Value/Owned By _____

Type of Contract ☐ F= Fixed Rate ☐ V= Variable

STOCKS/BONDS/CDS

Brokerage Firm Name _____

Address _____ City/State/Zip _____

Name on Account _____ Account # _____

Brokerage Firm Name _____

Address _____ City/State/Zip _____

Name on Account _____ Account # _____

Stocks (Company, Number of Shares, Certificate Number, Location, if Not in Above Brokerage Account)

Bonds (Issuer, Face Value, Certificate Number, Maturity, Location, if Not in Above Brokerage Account)

CDs (Issuer, Face Value, Maturity, Location of Documents, if Applicable)

Property Inventory

LIFE INSURANCE POLICIES

My Life, Owned by Me

Issuer _____ Insured(s) _____
Owned by _____ Beneficiary(ies) _____
Death Benefit Amount _____ Annual Premium Due _____ Cash Value/Face Value _____
Date of Issue ____/____/____ Loans _____

My Life, Owned by Others

Issuer _____ Insured(s) _____
Owned by _____ Beneficiary(ies) _____
Death Benefit Amount _____ Annual Premium Due _____ Cash Value/Face Value _____
Date of Issue ____/____/____ Loans _____

Type of Policy: WL= whole life; G= group term; UL= universal life; SPWL= single premium whole life; T= term; SL= survivorship life

RETIREMENT PLANS

Type: ☐ Traditional IRA ☐ Roth IRA ☐ 401(k) ☐ 403(b)

Participant Name _____ Account # _____
Name of Company _____ Address _____
City/State/Zip _____ Approximate Value _____
Primary Beneficiary(ies) _____ Contingent Beneficiary(ies) _____

Type: ☐ Traditional IRA ☐ Roth IRA ☐ 401(k) ☐ 403(b)

Participant Name _____ Account # _____
Name of Company _____ Address _____
City/State/Zip _____ Approximate Value _____
Primary Beneficiary(ies) _____ Contingent Beneficiary(ies) _____

Type: ☐ Traditional IRA ☐ Roth IRA ☐ 401(k) ☐ 403(b)

Participant Name _____ Account # _____
Name of Company _____ Address _____
City/State/Zip _____ Approximate Value _____
Primary Beneficiary(ies) _____ Contingent Beneficiary(ies) _____

Note: Retirement plans can be one of the most tax-disadvantaged assets to pass on to your heirs. If you're concerned about potential taxation of your plan, contact us or consult your advisor. We can show you ways to help conserve your assets for heirs and even eliminate potential estate taxes.

Property Inventory

REAL ESTATE

Residence Address _____ City/State/Zip _____

Date Acquired/Lender _____ Lender's Address _____

City/State/Zip _____ Account #/Amount of Loan _____

Date of Loan/ Interest Rate _____ Payment Amount/ Maturity _____

Other Property Address _____ City/State/Zip _____

Date Acquired/Lender _____ Lender's Address _____

City/State/Zip _____ Account #/Amount of Loan _____

Date of Loan/ Interest Rate _____ Payment Amount/ Maturity _____

BUSINESS ASSETS

Description _____ Ownership Share _____ Name of Partner(s) _____

Address _____ City/State/Zip _____

Phone _____ Accountant Name _____

Address _____ City/State/Zip _____

OTHER ASSETS (COLLECTIBLES, JEWELRY, ETC.)

Description/Location _____ **Description/Location** _____

LIABILITIES

Credit Card Debts

Company/Account # _____ Date Acquired/Lender _____

Company/Account # _____ Date Acquired/Lender _____

Automobile Loan

Creditor's Name _____ Address _____

City/State/Zip _____ Phone _____

Amount Owned/Terms _____ Date Acquired/Lender _____

Company/Account # _____ Date Acquired/Lender _____

Boat/Student/Other Loan

Creditor's Name _____ Address _____

City/State/Zip _____ Phone _____

Amount Owned/Terms _____ Date Acquired/Lender _____

Company/Account # _____ Date Acquired/Lender _____

MEMBERSHIPS AND/OR OTHER REGULAR OBLIGATIONS

Description _____ Amount Due/Frequency _____

CLAIMS/LAWSUITS PENDING

Description Amount _____ Attorney's Name _____

Address _____ City/State/Zip _____ Phone _____

Beneficiaries

BENEFICIARIES OF SPECIFIC GIFTS

Item/Amount _____

Beneficiary(ies) _____ Alternate Beneficiary(ies) _____

Item/Amount _____

Beneficiary(ies) _____ Alternate Beneficiary(ies) _____

Item/Amount _____

Beneficiary(ies) _____ Alternate Beneficiary(ies) _____

Item/Amount _____

Beneficiary(ies) _____ Alternate Beneficiary(ies) _____

Item/Amount _____

Beneficiary(ies) _____ Alternate Beneficiary(ies) _____

Item/Amount _____

Beneficiary(ies) _____ Alternate Beneficiary(ies) _____

RESIDUARY BENEFICIARIES

Once you have designated beneficiaries for specific items or amounts, the remainder of your estate may be divided by percentages. List beneficiaries (individuals or charity) and percentage each one receives:

Name of Person or Charity _____ **Percentage** _____

Address/City/State/Zip _____

Name of Person or Charity _____ **Percentage** _____

Address/City/State/Zip _____

Name of Person or Charity _____ **Percentage** _____

Address/City/State/Zip _____

Name of Person or Charity _____ **Percentage** _____

Address/City/State/Zip _____

ALTERNATE RESIDUARY BENEFICIARIES

If any of your heirs pre-decease you, name alternate beneficiaries for their share of your estate.

Alternate Residuary Beneficiary(ies)/Alternate for _____

Alternate Residuary Beneficiary(ies)/Alternate for _____

Alternate Residuary Beneficiary(ies)/Alternate for _____

Alternate Residuary Beneficiary(ies)/Alternate for _____

Keep in mind that life insurance, retirement plans, jointly owned property and living trusts are not covered in your will. Contact your plan or trust administrator to obtain a beneficiary designation form if you would like to update these assets.

Other

NAME YOUR EXECUTOR

The executor is responsible for ensuring that the instructions in your will are fulfilled after you are gone. This individual is usually a trusted friend or family member, but be sure to ask or notify that person beforehand. If a named executor declines or is unable to serve, any interested party may petition the court to become the administrator.

Name _____ **Relationship** _____
Address _____ **City/State/Zip** _____
Phone _____ **Email** _____ **Compensation (if applicable)** _____
Alternate _____

NAME YOUR TRUSTEES

Under certain circumstances, you may want to establish a trust to hold the assets of your estate. There are several types of trusts, and many offer significant advantages. Even if you establish a trust, you will still need a “pour-over” will to cover any assets outside of your trust. Talk to your advisor to find out if a trust is right for you.

Name _____ **Relationship** _____
Address _____ **City/State/Zip** _____
Phone _____ **Email** _____ **Compensation (if applicable)** _____

Name _____ **Relationship** _____
Address _____ **City/State/Zip** _____
Phone _____ **Email** _____ **Compensation (if applicable)** _____

GUARDIAN

If you have minor children, you will need to be sure you have a reliable and willing guardian named in your will. It's also a good idea to name a secondary guardian as well. If you fail to name a guardian in your will, the state will place your children where it deems best, not where you desire.

Name _____ **Relationship** _____
Address _____ **City/State/Zip** _____
Phone _____ **Email** _____ **Compensation (if applicable)** _____

IMPORTANT CONTACTS

Physician _____ **Address** _____
City/State/Zip _____ **Phone** _____ **Email** _____

Accountant _____ **Address** _____
City/State/Zip _____ **Phone** _____ **Email** _____

Financial Planner _____ **Address** _____
City/State/Zip _____ **Phone** _____ **Email** _____

Insurance Agent _____ **Address** _____
City/State/Zip _____ **Phone** _____ **Email** _____

Attorney _____ **Address** _____
City/State/Zip _____ **Phone** _____ **Email** _____

Clergyman _____ **Address** _____
City/State/Zip _____ **Phone** _____ **Email** _____

How Caroline is Leaving a Pain-free Legacy



“My name is Caroline and I know what we go through living with arthritis. I don’t want my own grandchildren to ever feel that pain. That’s why I’ve taken steps to leave a pain-free legacy through the Arthritis Foundation.

My friends at the Arthritis Foundation took me through a step-by-step process that helped me construct a plan that addresses my specific needs and objectives. And there was no cost or obligation for their services!

When I took the plan to my attorney, it was a simple matter to have the will drafted. I even saved several hundred dollars in legal fees because I already knew what I wanted in my plan - thanks to the help I received from my friends at the Arthritis Foundation.

I can’t place a value on the peace of mind I feel knowing that my wishes regarding the distribution of my estate will be carried out just as I intended. I’m so grateful for the help I received from the Arthritis Foundation. I recommend their free planning services to anyone who wants to help leave a pain-free legacy for tomorrow.”

From simple contributions to complex estate planning, the Arthritis Foundation offers free planning services that can help you find the right plan for your specific circumstances. They can answer your questions about wills, trusts, retirement plans, charitable gift annuities, life insurance, real estate and other planning matters. There is no cost or obligation, and your inquiry will be treated in complete confidence.

Call today toll-free 1-866-528-8687 to learn more.

The Arthritis Foundation is here to assist you with any of your planning needs. Without cost or obligation, our professional staff can:

- Inform you and your family about charitable estate planning concepts.
- Assist you in saving income, gift and estate taxes.
- Help you find an attorney with estate planning expertise.
- Help you define your current and future estate objectives
- Demonstrate how a charitable gift can complement your current plans.
- Reveal tax-wise giving strategies that help your estate grow.

To find out more about the services we offer, or about how you can establish your personal legacy, please call us toll-free at 1-866-528-8687.



Arthritis Foundation • Planned Giving Department
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