POUR-OVER WILL

I, _____, live in _____ (city), _____ (county), _____ (state). I am of legal age to make a will and of sound mind. I make this will freely, and it is my last will (this "Will"). I cancel every will and codicil I signed before this Will. This Will is a pour-over will that leaves my estate to my living trust.

Before you use this form: sign your trust agreement first, even on the same day. Then print this will and sign it in ink in front of two adult witnesses who receive nothing under it or your trust. An e-signature does not make a will valid in most states. Louisiana uses a notarial testament with a notary, Texas and Florida have their own self-proving affidavits, and Ohio, D.C. and Maryland have none for paper wills. Check your state's rules, or use the LawVault builder, which prints the right pages for you.

1. MY FAMILY

Marital status (check one): [ ] I am not married. [ ] I am married to _____. [ ] I am divorced. [ ] I am widowed.

My children are: _____. When this Will refers to "my children", it means these children and any child born to me or adopted by me after I sign this Will.

2. MY LIVING TRUST

Before signing this Will, I signed a trust agreement as settlor creating a revocable living trust known as the _____, dated _____ (my "Trust"). The trust agreement names _____ as successor trustee. "My Trustee" means whoever is serving as trustee of my Trust at the relevant time.

I keep the right to amend or revoke my Trust. A reference in this Will to the trust agreement includes every amendment made before my death.

3. EXECUTOR

I appoint _____ as executor of this Will. If that person does not serve for any reason, I appoint _____. The person serving is my "Executor". No bond is required of any Executor named here. My Executor may act with as little court supervision as the law allows and may also serve as my Trustee.

My Executor may, without court order where the law allows, manage, sell, lease or mortgage my property, settle claims, hire advisers, file my tax returns, and transfer property to my Trustee. A written receipt from my Trustee discharges my Executor for property delivered.

This general template is provided for informational purposes only and does not constitute legal advice. Requirements vary by state and locality; review current law and attach any disclosures or addenda your situation requires before signing. For a guided state-specific document, visit lawvault.org.

4. GUARDIAN FOR MY CHILDREN

If any child of mine is a minor when I die and no parent of that child is able to have custody, I name _____ as guardian of the person of that child, or if that person cannot serve, _____.

5. GIFT OF MY RESIDUARY ESTATE TO MY TRUST

My "residuary estate" is all property I own at my death that is not effectively given away by this Will, after payment of my debts, expenses, and taxes. I give my residuary estate to my Trustee, to be added to the property of my Trust and held, managed, and distributed as part of it under the terms of the trust agreement, including amendments made before my death.

This property does not form a separate trust under this Will. The gift is valid even though my Trust may be amended or revoked.

6. IF THE GIFT TO MY TRUST FAILS

If my Trust is not in effect at my death, or the gift to it fails for any reason, I give that property to the successor trustee named above, to hold in a separate trust under the terms of the trust agreement as it exists on the date I sign this Will, which terms I incorporate into this Will by reference. If that cannot be done, the property passes to _____, or if that is not possible, to my heirs under the laws of the state where I live.

7. DEBTS, EXPENSES, AND TAXES

My Executor will pay my legally enforceable debts, the expenses of my last illness and funeral, and the costs of administering my estate from my residuary estate before it passes to my Trust. If that is not enough, my Executor may ask my Trustee to pay them from my Trust, to the extent the trust agreement allows.

8. GENERAL PROVISIONS

A person who does not survive me by _____ days is treated as having died before me. Property already held in the name of my Trust passes under the trust agreement, not under this Will. If any part of this Will is held invalid, the rest remains in effect.

9. SIGNATURE OF TESTATOR

I sign my name to this Will, which has _____ pages including the witnesses' page. I have initialed each page. I declare to the witnesses below that this is my will and that I sign it willingly. Signed on _____ at _____.

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10. ATTESTATION OF WITNESSES

On the date written above, the testator declared to us that this document is the testator's will and signed it at the end in our presence. All of us were present together at the same time. At the testator's request, each of us then signed below as a witness, in the presence of the testator and of each other. To the best of our knowledge, the testator is of legal age to make a will, of sound mind, and acting freely. Each of us is an adult, and none of us is named to receive property under this Will or the testator's trust.

Witness 1 printed name and address: _____

Witness 2 printed name and address: _____

SIGNATURES

Testator

Signature: _____ Date: _____

Printed Name: _____

Witness 1

Signature: _____ Date: _____

Printed Name: _____

Witness 2

Signature: _____ Date: _____

Printed Name: _____

SELF-PROVING AFFIDAVIT (OPTIONAL; NOT USED IN OHIO, D.C., MARYLAND, CALIFORNIA OR LOUISIANA)

State of _____, County of _____. We, the testator and the witnesses whose names are signed on the will, being first sworn, state that the testator signed the will willingly as the testator's will; that each witness signed it at the testator's request, in the presence of the testator and of each other; and that, to the best of each witness's knowledge, the testator was 18 or older (or otherwise able to make a will), of sound mind, and under no constraint or undue influence.

Testator: _____ Witness 1: _____ Witness 2: _____

Subscribed, sworn to and acknowledged before me on _____. Notary Public: _____. My commission expires: _____. (Seal)

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HOW TO SIGN (NOT PART OF THE WILL)

Sign your trust agreement first. Then print the will single-sided and sign it in ink. Sit in one room with your witnesses (and the notary, if you use the affidavit). Tell them this is your will, sign at the end while they watch, then have each witness sign while you and the others watch. Initial the bottom of every page and fill in the page count.

Property left outside your trust goes through probate before it reaches the trust, so retitle your home and accounts in the trust's name. Keep the original will with a copy of your trust agreement and tell your executor and successor trustee where they are.

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