

Will and Testament

Your Will is the most important legal document in your estate. It's the document that says who gets your house, your savings, your car, your jewellery, and everything else you own. It names your executor (the person responsible for carrying out your wishes). And if you have children under 18, it names their guardian.

Without a Will, your assets are distributed according to a formula set by the laws in your state or territory, which might not match what you actually wanted. Exactly how it works varies by where you live, so a solicitor can tell you what would happen in your case. Your estate could go to people you barely speak to. Depending on your state or territory and your circumstances, a partner you're not married to may have a weaker claim than you'd expect, so it's worth getting advice from a solicitor. The charity you cared about might get nothing. And your family might spend months in court sorting it all out.

So if you don't have a Will yet, get one. This organiser is not a substitute for a Will. It supports your Will by making sure your executor can actually find it and understand it.

Here's what to include in this section:

Do you have a Will? If yes, when was it written? Wills should be updated every few years or after major life changes (marriage, divorce, kids, buying property). If your Will was written 15 years ago and you've remarried since then, it's probably out of date.

Where is the original Will stored? Your executor needs the original, not a copy. Most people keep it with their solicitor, in a safe at home, or in a safety deposit box. Wherever it is, write it down.

Who is your executor? This is the person (or people) you've named in your Will to handle your estate. Include their name and contact details. If you've named a backup executor, include them too.

Who drafted your Will? Include your solicitor's name and contact details. Your executor will need to contact them to confirm the Will is valid and get advice on the probate process.

Does your Will include a testamentary trust? Some Wills set up a trust to manage assets for beneficiaries (for example, if you're leaving money to young children who can't manage it yet). If yours

does, note it here.

Have you made a binding death benefit nomination for your super? Superannuation usually doesn't automatically go to your estate. Generally it goes to the people you've nominated, but whether the fund must follow your nomination depends on the type of nomination and your fund's rules. If you haven't made a valid binding nomination, the super fund trustees often decide. Your super fund can confirm what applies to you, so it's worth checking with them. Make sure you've done this, and note where the nomination is stored.

WHY THIS MATTERS

Your Will is only useful if your executor can find it. And they need to know who to contact (your solicitor), where the original is stored, and whether there are any special provisions (like a testamentary trust).

By filling this out, you're making sure your Will doesn't sit in a drawer gathering dust while your family searches for it.

You've just saved them weeks of stress.

Your Will and Testament

Where your Will lives, who carries it out, and the wishes attached to it.

YOUR WILL

Status: Yes / No / Currently being drafted.

DO YOU HAVE A VALID WILL?

LAST UPDATED (MONTH / YEAR)

UP TO DATE WITH YOUR WISHES?

IF NOT, WHAT HAS CHANGED

WHERE THE ORIGINAL IS STORED

SAFETY DEPOSIT BOX - WHICH BANK

SOLICITOR WHO DRAFTED THE WILL

NAME

FIRM

PHONE

EMAIL

ADDRESS

PRIMARY EXECUTOR

NAME

RELATIONSHIP

Your Will and Testament (cont.)

PHONE

EMAIL

ADDRESS

BACKUP EXECUTOR (IF APPOINTED)

NAME

RELATIONSHIP

PHONE

EMAIL

ADDRESS

SPECIAL PROVISIONS

Note details for any that apply: testamentary trust, specific bequests, charitable gifts.

TESTAMENTARY TRUST - DETAILS

SPECIFIC BEQUESTS - DETAILS

CHARITABLE DONATIONS - DETAILS

Your Will and Testament (cont.)

SUPER DEATH BENEFIT NOMINATION

Binding / Non-binding / None. Binding nominations expire after 3 years in most funds.

NOMINATION TYPE

SUPER FUND NAME

BENEFICIARY(IES)

DATE NOMINATION MADE

WHERE THE NOMINATION IS STORED

NOTES - ANYTHING ELSE YOUR EXECUTOR SHOULD KNOW ABOUT YOUR WILL