



SAMPLE SCENARIO

Last Will and Testament

Embracing the belief that "the best way to learn is by doing," we have crafted sample scenarios to provide you with a hands-on experience that makes learning Smarter Drafter a breeze. Dive right in, and discover the power of our product firsthand.

How it works

We've created 3 Sample Scenarios for the [Smarter Drafter Last Will and Testament](#) (click [here](#) to go directly to the precedent).

Each case study has a corresponding set of client instructions, which you can use to assist you in filling out the Last Will and Testament Smart Q&A form on the Smarter Drafter website.

Once you've completed the form you can generate the client facing document. Review the document in either PDF or MS Word to become familiar with the types of clauses automated with Smarter Drafter.

Note:

Most clients start to become more comfortable with using Smarter Drafter after running 5 test documents, so why not change each case study slightly and run another submission or use some of the client's details to create a different document?

Joseph Smith

Joseph Smith (Jo) has spent 15 years running Hammer and Tong; a widely successful chain of stores selling kitchen utensils and hardware tools. Jo has decided that he wishes to retire this year and take his wife Mary Smith on a cruise around the French Polynesian islands. Jo wants to update his Will before they leave to ensure his son Tom is looked after if anything should happen.

Jo is about to sell Hammer and Tong for a small fortune so he wishes to create a Will with a testamentary discretionary trust to capitalise on the tax benefits.

Jo would like to include funeral directions in his Will. He would like to be buried at the local cemetery to the soundtrack of Let It Be by the Beatles, his favourite song. It is also important to Jo that he is an organ donor, as his sister Stephanie required a heart transplant for a genetic heart condition. He does not, however, wish to donate his body to medical research.

Jo would like to appoint Mary as the executor of his Will and his sister Stephanie as the substitute executor (no further backup executors are required). Jo wishes to name Mary as the sole beneficiary to the Will and utilise the substitution mechanics clause for his son Tom. With this in mind, Jo wishes to set the minimum age for his beneficiaries to 25 as his son has just turned 18 and spends a large portion of his pay on video games. Jo wishes to name Tom as a first level substitute beneficiary and wants to appoint Stephanie as a reserve beneficiary.

Jo also has a family trust. He would like to make provisions for the control of this trust to pass when he dies. Jo has a trying relationship with his father Harry Smith. Harry has gambling problems and has previously asked Jo for money which he has never repaid. Jo does not wish Harry to have access to any of his assets and wants to exclude him from the Will.

Jo would like you to generate a covering letter so that he has an explanation of how his Will works that he can revisit if he needs any clarification.

Joseph Smith Client Instructions

Client	Name:	Joseph Smith
	Address:	567 Random Road, Sydney NSW 2000
	Occupation:	Retiree
Executor	Funeral Directions:	Burial, organ donation, no donation to medical research
	Name:	Mary Smith
Substitute Executor	Address:	567 Random Road, Sydney NSW 2000
	Name:	Stephanie Carroll
	Address:	123 Random Road East, Sydney NSW 2000
Beneficiary	Name:	Mary Smith
	Address:	567 Random Road, Sydney NSW 2000
	Minimum Age:	25
Substitution Mechanics	Tom Smith first level substitute	
Reserve Beneficiary	Stephanie Carroll	
Family Trust Provisions	Yes	
Exclusion	Harry Smith. Has gambling debts and unpaid loans from the testator	

Jessica Stanley

Jessica Stanley is a widower living on her own. Her daughter Sarah has recently moved to another state and this change has made Jessica think that she might need to create a Will.

Sarah and her children, Matthew and Milly, are Jessica's only family. Jessica would, therefore, like to appoint Sarah as executor and beneficiary.

Jessica would also like to make sure that Matthew and Milly are taken care of if anything were to happen to Sarah. She would like to name both grandchildren as first level substitutes in equal shares.

As a young girl, Jessica used to help her parents breed dachshunds. If Sarah and her children are unable to benefit from the Will, Jessica would like to appoint the RSPCA as reserve beneficiary.

Jessica Stanley Client Instructions

Client	Name:	Jessica Stanley
	Address:	73 First Road, Sydney NSW 2000
	Occupation:	Retiree
Executor	Name:	Sarah Marshall
	Address:	57 Second Street, Brisbane QLD 4000
Substitute Executor	Name:	Public Trustee
	Name:	Sarah Marshall
Beneficiary	Address:	57 Second Street, Brisbane QLD 4000
	Minimum Age:	25
	Substitution Mechanics	Matthew Marshall and Milly Marshall first level substitute
Reserve Beneficiary	RSPCA	

Kevin Robbins

Kevin Robbins has just purchased a new home with his wife Emily. This big life decision has sparked Kevin's interest in creating a Will.

Kevin loves Sci-Fi novels and would like to leave his body to medical research in the hopes that he can contribute in some way to the next scientific breakthrough.

Kevin would like to name his brother Michael as the executor to the Will and Emily's sister Rachel as the substitute executor. Emily will be named as a beneficiary to the Will; however, Kevin has an adult child from a previous relationship, Roger, whom he would also like to name as a beneficiary.

Kevin would like to ensure that Roger is taken care of, however, Roger has learning difficulties and Kevin is concerned about how Roger would manage any assets left to him. Kevin would like to leave his estate to his wife Emily, but he would also like to set aside a sum for Roger's living expenses.

Kevin and Emily anticipate having children together one day, so Kevin would like to account for any future children in his Will.

Kevin Robbins Client Instructions

Client	Name:	Kevin Robbins
	Address:	35 William Street, Melbourne VIC 3000
	Occupation:	Teacher
	Funeral Directions:	Cremation, donate body to medical research
Executor	Name:	Michael Robbins
	Address:	180 King Street, Melbourne VIC 3000
Substitute Executor	Name:	Rachel Taylor
	Address:	123 George Street, Sydney NSW 2000
Beneficiary	Name:	Emily Robbins
	Address:	35 William Street, Melbourne VIC 3000
Secondary Beneficiary	Name:	Roger Robbins
	Address:	35 William Street, Melbourne VIC 3000