

DAVENPORT'S OKLAHOMA WILLS AND ESTATE PLANNING LEGAL FORMS

**written by attorneys
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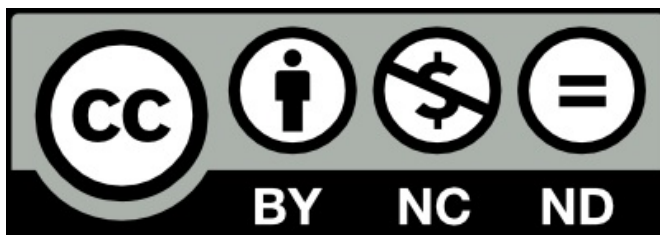
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CHAPTER 1

BOOK BASICS AND LIST OF FORMS

ESTATE PLANNING CONTROLS THINGS IF LATER ABSENT, SICK, OR DEAD

This book is about Oklahoma people doing legal documents to control their health care, property, money, children, funeral, and more if later they're absent, sick, or dead. People have a right to control these matters so judges, doctors, and others later just ask: "Based on what a person wrote what did they likely want done?"

ESTATE PLANNING MOSTLY IS DOING SIMPLE THINGS IN 3 AREAS

Estate Planning is mostly doing simple things in 3 areas: Will Related, Health Care, and Giving Power. This book has 10 ready to use Oklahoma legal forms. Many people use just a few of these legal forms.

WILL RELATED FORMS

Form 1. Will (Standard) – a Will (also called a “Last Will And Testament”) lets a person control things after their death like who gets money and property, who is Executor, and if easier legal options can be used.

Form 2. Will (Guardian) – Will with part added to name a Guardian to care for a minor child under 18 if needed (like if both parents later aren't available) and also if needed manage a child's money and property.

Form 3. Handwritten Will – Will which if all handwritten by a person can skip need for 2 witnesses.

Form 4. Self-Proving Affidavit – form often done with a Will to later help show it was correctly signed.

HEALTH CARE FORMS

Form 5. Health Care Power Of Attorney – lets a person name someone to be Agent to control health care if the person is later incapacitated and also lets person give some instructions.

Form 6. Advance Directive For Health Care – lets person do serious act of saying stop health care if later they're incapacitated and doctors later think more care won't help (this is often called a “Living Will”).

Form 7. Do-Not-Resuscitate (DNR) Consent – does serious act of saying to paramedics and others immediately from now on do not try resuscitation to help the heart or breathing (including no C.P.R.).

GIVING POWER FORMS

Form 8. Statutory Power Of Attorney – lets power over money, property, and more be given to a trusted person so they have power to do things, like use accounts, pay bills, get records, and sell property.

Form 9. Power Of Attorney To Delegate Parental Or Legal Custodian Powers – lets a parent give power to someone over a minor child under age 18 to use if needed including health care and school issues.

Form 10. Disposition Of Remains And Appointment Of Agent – lets a person give instructions and name someone to control issues about their dead body like funeral, cremation, and burial matters.

OKLAHOMA LAW ON ESTATE PLANNING COVERS MOST PEOPLE HERE

This book is only for Oklahoma since Estate Planning law and legal documents do vary between states. Usually a state's Estate Planning law applies if a person's primary residence is here (often called "domicile"). Many judges say residence occurs if a person lives in a place and for a moment has no clear plans to leave. Later plans to move don't matter till people actually move. Note, people can stay under their previous state's Estate Planning laws after they move from it if people have some plans to leave any new state eventually. For example, people who move to a new state for months or more for travel, school, work projects, or the military often can keep legal ties to their old state. Immigrants here of any kind can do Estate Planning. For health care people often do legal documents to match the state a hospital or other health facility is in.

BOOK IS SHORT, HAS FORMS TO QUICKLY SEE, AND USES EMPHASIS

This book is short and may read rough but can be read fast. Long books often lead to misunderstanding of the basics and skimming. This book has legal forms people can quickly see. For emphasis paragraph titles, underlining, and boxes are used. This book capitalizes some legal words like Will, Testator, and Agent but this is optional. To save space some small words are skipped and end quote marks put before punctuation.

THIS BOOK COVERS MAJOR LEGAL IDEAS AND SHOULD SUIT MOST PEOPLE

This book covers the big U.S. legal ideas on Estate Planning and most ways Oklahoma law is different. This book and its forms can't cover every issue but it should suit people without strange situations or wishes about Estate Planning, which is likely most adults. Strange situations or wishes that may need more research or a lawyer include: a) unusual wishes for gifts, b) wealth over \$5 million, c) big medical concerns including extreme age, d) property or money going to a person with disability or special needs, and e) wish to move or hide assets to qualify for government help. Note, most Native Americans probably can use this book including the forms, but some should see a lawyer especially those owning Tribal or Indian land.

LEGAL FORMS CAN HELP MANY AND THIS BOOK HAS "STANDARD FORMS"

Studies on Estate Planning show a surprising 60% of adults have not done anything, 19% used a lawyer for this, and 21% used legal forms. Legal forms are good at most things involved in Estate Planning and can make binding legal documents that judges, doctors, families, banks, and others legally must follow. Instead of legal forms lawyers can be used for Estate Planning but it can be costly, take months of work, and they can make mistakes. In life people often weigh costs, benefits, and risks and often pick a cheap option. Also, often a hospital, state agency, charity, or state legislature has made a form most people use and call the "standard form", and doctors, judges, and others may not like to follow anything else even if a lawyer wrote it. This book does provide the standard form for Oklahoma in a subject area if it exists.

ESTATE PLANNING OFTEN IS NOT VITAL AND WORTH SPENDING MUCH ON

Despite what many people think Estate Planning often does not greatly change the costs, taxes, delays, and work involved in these areas, so it often is not vital and worth spending much money and energy on. Benefits seem very low for young people even if they're parents since only about 4% of people die by age 50, and only about 0.13% of children under 18 had both parents die to need big legal help. See *Social Security Tables: Felicitie Bell; Parent Mortality Census SIPP Paper #288*. Instead of costly Estate Planning many people buy life insurance, like some people pay yearly for \$100,000 term life with no exam ("simplified issue").

LEGAL DOCUMENTS MAY NEED TO BE “WITNESSED” OR “NOTARIZED”

To be legally valid and enforceable some legal documents need to be “witnessed”, which is someone watching the person doing the form sign and then the witness signs too. Some legal documents need to be “notarized”, which is a person who is a “notary” see signing and then use ink stamp and they sign too. Notaries (also called a “notary public”) are at some banks, brokers, insurance agents, courts, law offices, libraries, mailing or copying centers, and government offices, but they can choose not to help if they’re busy or only help current customers. Using a phonebook to call first may help people find a helpful notary. In legal documents the words “subscribe” or “execute” means a person signed it, and “acknowledgment” means a person somehow showed a 2nd person like a notary or a witness they intended to do a document. If a person signs a legal document in a language they don’t understand it is still usually valid and binding.

ANYONE CAN FILL IN MOST OF FORM, AND LATER TRY TO KEEP ORIGINAL

When filling out a legal form except for signatures other parts can be filled in by someone not doing the form with good handwriting or typing. After a form is done usually people try to keep the original and hand out copies. Some people have everyone sign multiple copies to have multiple copies with ink signatures.

SOME LESS COMMON OR LESS USEFUL FORMS ARE NOT IN THIS BOOK

This book skips some possible but less common or less useful documents.

- A “Codicil” can modify a Will but it is easier and legally safer to just rewrite the whole Will.
- Some people do a “Pet Trust” to help a pet, but it’s easier to just give money in Will to person given a pet.
- Though separate forms exist most people handle Organ Donation in drivers license or state ID paperwork.
- Oklahoma law does not let a short “Gift List” or “personal property memo” be used to add gifts to a Will.
- Some people do a “Revocable Living Trust” so a Trust entity with a Trustee holds property or money during their life, usually done to after death have faster transfer of things and avoid small delays, costs, or work of others (by “avoiding probate”). But this is rarely done as it may require moving most of a person’s things to a Trust causing maybe years of hassle, mostly to avoid later small work for people happy to be getting things.
- “Childrens Trust” papers can be done (like as part of a Will) so at a death a Trust gets money or property for a minor child to manage until 18, but this is uncommon due to possible cost and hassle, since it rarely matters (as this book explains), and since most Wills already arrange other legal help for young children.

PROBABLY DO NEW FORMS IF DIVORCE, MARRY, HAVE CHILD, OR MOVE

Divorcing, marrying, having a new child, or moving to a new state can have big legal effects, and if any of these events occur it is recommended people do a new Will and other Estate Planning papers soon. To help most states say a Will from another state is still valid if people move but this is not always certain.

NO FEDERAL OR OKLAHOMA TAX IS USUALLY OWED DUE TO A DEATH

Usually no tax is owed as a result of a death, including no estate, inheritance, death, or similar taxes. This is because the Federal Estate And Gift Tax only starts when a tax credit is used up covering \$13.99 million a person in 2025 or later. At the state and local level Oklahoma no longer has any inheritance or estate taxes that may apply. Most people don’t need to worry about more tax being owed due to a death.

CHAPTER 2

TERMS, PROPERTY LAW, AND HELPFUL INFORMATION FORM

THERE ARE BASIC TERMS AND IDEAS IN ESTATE PLANNING

Some legal terms and ideas are basic to Estate Planning.

- “Estate Planning” is about people doing legal documents to control things if later absent, sick, or dead. After a document is done people are mostly free to sell or transfer property, instruct doctors, or change forms.
- A “person doing a legal document” and “doing a form” means the form is for and affects that person.
- A “Will” or “will” (this book uses upper case “W”) is a legal document done to control issues after death. The phrase “Last Will And Testament” is used since a “Testament” long ago was a small document done along with a Will to do some things. If no Will is done a person is described as being “intestate”.
- A person who died is called the “decedent” or “deceased”. A person getting a Will gift is called “recipient”, “beneficiary”, or “heir” if related (they “inherit”). “Survive” or “surviving” is to be alive after someone died.
- A person named to handle and do things after someone’s death is usually called an “Executor”, but if a judge has to pick someone they are called an “Administrator”. The term “Personal Representative” covers both these terms and is now the common term used in Oklahoma for the person doing things after a death.
- A person doing a Will is called “Testator” or “Will maker”. Before about 1990 a woman Testator was called a “Testatrix” and woman Executor called an “Executrix” but this is no longer often done.
- “Probate” is a legal process to do things after someone’s death like transfer property, handle creditors, and authorize a Guardian. Due to nice changes in law probate is now often informal, faster, and less costly.
- “Property” is either: 1) “real property” which is land and buildings (“real estate”), 2) “personal property” which is things not real property, like cash, accounts, stocks, tools, clothes, cars, jewelry, and art, or 3) “fixtures” which are things tied to real property (like fences, posts, lighting, and wired-in appliances).
- Legal documents to control health care things are often called “Advanced Directives”.
- In Oklahoma a person under 18 is usually called a “minor” and often a parent or guardian helps them. A minor or other person not reasonably able to make wise decisions lacks “capacity” and is “incapacitated”.
- A document giving power to someone is often called a “Power of Attorney” where the “Principal” gives power to someone called the “Agent” or “Attorney-in-Fact” (but they needn’t be a real attorney or lawyer).
- State law is called the “Oklahoma Statutes”. A law is called a “statute” or “section” shown by “§” or “s”. Oklahoma law has about a hundred parts called “titles”, and the title number is first when a law is referred to. A law can be referred to in a few ways, like 84 Oklahoma Statutes § 55, or 84 Okla. Stat. § 55, or 84 O.S. 55. A legal form written in state law for people to find and use if wanted is usually called a “statutory form”.

“ESTATE” MEANS PROPERTY OF DECEDENT AND ENTITY HOLDING THINGS

First, the “estate” or “probate estate” means all property and money of a dead person that at death or soon after didn’t somehow legally automatically go to new owners. Second, estate is also the word for the temporary entity run by an Executor to do things after a death (it’s like a small corporation). A dead person’s money and accounts might be renamed or moved to a bank under an estate name, like “Estate of Ed Hud”.

PERSON CAN ONLY GIFT IN WILL WHAT THEY OWN AT DEATH

A person can only gift by Will things they own at death so people should research what they own. Basically by law a person usually owns all they earn as wages and salary, owns their share of income and profit tied to property they own, and owns or partly owns any things their money buys or improves. And for property with “title” documents (real estate or vehicles) or where there is a “listed owner” (like accounts) the named persons are usually the legal owners unless evidence shows special circumstances. Note, a person during life can sell property, make gifts, or transfer things even if they are named in a Will, so people should consider if they already sold or gave away property they also name in a Will gift.

THINGS OWNED IN SPECIAL WAYS MAY LIMIT GIFTING IN WILL

A person should consider if they own real estate or other property in special ownership ways which may limit gifting by Will. Laws vary in different states but some common special ways of ownership are:

- “joint tenant with right of survivorship” or similar legal options, so then property transfers automatically to the other named owners regardless of a Will, which in some states is often how the family house is held (in Oklahoma most married people do papers like a deed so if 1 spouse dies the 2nd spouse gets a house).
- papers say a “life estate” exists, so then if life of someone ends the other people in papers get item, and
- “Trust property” occurs if paperwork made a Trust entity and then property was transferred into it or this is set to occur, so then the Trust papers control where things put in the Trust go after someone’s death.

Plain “joint ownership” with many people owning a thing can occur if people do joint papers, all agree to it, buy with joint funds, or if a gift was to many. Wills can gift joint property, like “I give my half of boat to Ed Hu”.

NON-PROBATE TRANSFERS THAT HAPPEN AUTOMATICALLY IGNORE A WILL

Money or property of the deceased that for some reason automatically transfers on death or soon after to new owners is called “non-probate property”. Such things transfer as arranged even if Will gifts name the same items. Examples of non-probate property are: a) a “designated beneficiary” form was done that names people to get an account or investment, b) transfer-on-death accounts, and c) real property is held by 2 people as “joint tenants with survivorship” or similar so at a death the surviving person gets things. And property in a Trust usually ignores a Will and transfers as Trust papers say. Life insurance often goes to a named beneficiary. Trying to do non-probate transfers for all things is called “avoiding probate”, but few people try this since it can cause years of hassle, benefits are small, and often a small thing is missed. When doing a Will a person should consider non-probate transfers that will occur automatically on death and consider what property and money will then be left to transfer by Will.

“HELPFUL INFORMATION” FORM CAN TELL FAMILY AND FRIENDS THINGS

People can do an unofficial “Helpful Information” form banks, lawyers, and planners suggest so family and friends after a death will know things. People can staple records or lists to it. See form on next pages.

ESTATE PLANNING HELPFUL INFORMATION

For more space attach copies of form or blank pages. Keep pages by Will or other place for Executor or family.

1. Personal Information (Name, Birthdate, Social Security number, special family details, other):

2. Real estate, vehicles, and other major tangible property (especially if people may not find them):

3. Non-tangible assets like stocks, accounts, investments, loans owed you, and business interests:

4. Possible income or insurance like pensions, retirement, disability, insurance, or contracts:

5. Debts owed by you like credit card, loan, student loan, mortgage, vehicle loan, and accounts payable:
6. Names and information of professionals used (attorneys, accountants, brokers, doctors, others):
7. Computer passwords and helpful files, document places, and safes or safe-deposit boxes codes/keys:
8. Other helpful things, wishes for funeral, special requests, and any last messages to family and friends:

CHAPTER 3

WILL BASICS

WILL LETS “TESTATOR” CONTROL THINGS AFTER DEATH

A Will is done by a person to control some things after their death. A person doing a Will is called the “Testator” or “Will maker”. A Testator when signing must be at least 18 years old, of sound mind (rational with sufficient memory), and not be under duress (unfair pressure or threat). Most people can do a Will.

SIGN WILL WITH 2 WITNESSES

WILL MUST SHOW IT’S A WILL, BE DECLARED A WILL, AND BE WITNESSED

A written document to be an Oklahoma Will must show it’s meant as a Will by its words, the person doing it must indicate it is their Will to witnesses and ask them to sign, and the person doing it must sign at the Will’s end in front of 2 witnesses who sign too. A Will usually can’t be said on a video or audio recording.

WITNESSES SHOULD BE PEOPLE AT LEAST AGE 18

A person to witness a Will must be at least age 18. It is slightly better if witnesses are not very old or live far away like out of state. Though it is allowed it is preferable a witness not be named as Executor, Guardian, or to a similar job in the Will. Often used as witnesses are friends, neighbors, strangers, or family.

WILL GIFTS TO A WITNESS LIKELY WON’T BE CARRIED OUT

Will gifts which name a witness usually are invalid and won’t later be carried out unless there are 2 other sufficient witnesses. A small exception says a witness can get up to the amount they’d get by “intestate law” which applies if there were no Will. A Will witnessed by some people named in Will gifts still is totally valid. But to avoid this issue almost always witnesses are chosen so they won’t benefit directly by a Will.

TESTATOR MUST ALOUD “DECLARE” THE WILL AND ASK WITNESSES TO SIGN

The law says a person must “declare” a Will and ask witnesses sign it. Usually this means a Testator says a thing like, “My name is _____ and this is the Will I want and do voluntarily and want you 2 people to witness”. Some Testators also chat a few minutes with witnesses to help show they are of sound mind.

TESTATOR AND 2 WITNESSES SIGN THE WILL WHEN TOGETHER IN 1 ROOM

The person doing the Will should sign it with 2 witnesses who then also sign. Everyone should be in 1 room and see others sign. Witnesses and Testator showing each other an ID is not required but is common. A Testator or witness should use their full legal name unless they dislike it and rarely use it. The Testator need not initial Will pages. Witnesses only read the 1 paragraph they sign below. Witnesses must print their names and addresses by their signatures. Disabled people who can’t sign by hand should see a lawyer.

KEEP SIGNED WILL IN SAFE PLACE IT CAN BE FOUND AFTER A DEATH

People should keep a Will so it can be found within days of a death, like in a desk, drawer, safe, or less often a safe deposit box. It can be given to a person to hold. It may help to tell others how to find or get a Will. A few people during their life file their Will with the Court’s Clerk office in their county for safekeeping, but these people if they do a new Will usually should withdraw the old filed Will to reduce risk of confusion.

CANCELING OLD WILLS IS USUALLY NOT A PROBLEM

So a new Will is followed old Wills should be canceled (“revoked”) but this is easy and rarely a problem. A new Will usually quickly says old Wills are revoked to cancel them, and all this book’s Will forms say this. A few people revoke an old Will by writing “void” or “cancelled” or “X” on it, preferably with a witness to this. Usually crossing out just part of a Will has no effect, and revoking a Will doesn’t bring back an earlier Will.

MOST WILLS SAY TO SKIP COSTLY BOND FOR EXECUTOR AND OTHERS

Most Wills helpfully say no “bond” or “surety” is required for any Executor, Guardian, or similar people. This is insurance bought from a company to insure against misconduct. But the person writing a Will usually doesn’t want this since the persons named are trusted and buying insurance uses up estate assets.

MOST WILLS SAY PEOPLE MAY LATER DO “INFORMAL PROBATE”

Most Wills say people may later do “informal probate” which can avoid later costs and delays. In informal probate usually just 1 short hearing at court is required and probate is usually done in well under 1 year.

MOST WILLS HAVE A “MISCELLANEOUS” PART WITH HELPFUL LANGUAGE

Most Wills have a “Miscellaneous” page with paragraphs of legal language to avoid some legal problems. This can help if later legal problems occur. A person doing a Will need not understand these paragraphs.

WILL NAMES AN EXECUTOR TO DO THINGS AFTER DEATH

WILL NAMES SOMEONE AS “EXECUTOR” TO DO THINGS AFTER A DEATH

Usually a Will names someone as “Executor” to act after a death like handle debts, find and collect and give new owners property and money, and do probate. The law gives Executors many helpful legal powers. If a Will fails to name an Executor a judge can pick someone, but family may argue about who to suggest. Will gifts can go to the Executor. The term “Personal Representative” and not “Executor” is now mostly used in Oklahoma for the person doing things after a death, but these terms mostly mean the same thing.

EXECUTOR CAN BE PAID AND ESTATE PAYS FOR EXECUTOR’S EXPENSES

Oklahoma law has a fee schedule saying an Executor can ask to be paid about 2.5% the value of all the things in the decedent’s estate, both real property and most other property and moneys. Some people feel this is too much and add a line to a Will saying to not pay Executor at all. But often Executors skip even asking for pay to not owe income tax and leave more resources to carry out Will gifts. Any lawyer hired by an Executor is usually paid hourly or a fixed sum. Expenses an Executor has like for probate costs, lawyers, insurance, repairs, mortgage payments, utilities, and similar things is paid for using estate assets.

EXECUTOR IS PERSON AT LEAST 18 AND SECOND PERSON RARELY NEEDED

A person to be Executor must be 18 or older and not have a bad criminal record like felonies or infamous crimes. If a person isn’t an Oklahoma resident they must name a local person to receive mail for them here. Naming 2 people to both be Executor is allowed but rare due to the risk of arguments and delays, and since any 1 person named should be trusted. A few people name a 2nd person to be Executor if the 1st person is not later available but most skip this since this rarely occurs and if needed a judge can pick someone. To add such a 2nd person a person could add: “or if they’re reasonably unable to serve I name ____ to serve.

CHAPTER 4

WILL GIFTS INCLUDING RESIDUE CLAUSE

MAIN USE OF A WILL IS TO SAY GIFTS TO HAPPEN AFTER DEATH

Most people use a Will mainly to say what happens to their property and money after their death, usually by writing down various Will gifts to occur when they die. Verbal and even writings about this are not usually valid if not in a proper Will. A Will can control property acquired after it was signed. The very end of this Chapter covers “intestate law” which says where a person’s things go at death if no valid Will handles this.

GIFTING IN A WILL USING SIMPLE WORDS OFTEN IS BEST

Making gifts in a Will using simple words is often best, using words like “I give to” and “I gift to”. This is legally fine and avoids confusing legal words like “bequest”, “devise”, and “legacy” which few people know.

A PERSON IS MOSTLY FREE TO GIFT THEIR THINGS AS WANTED

A person is mostly free to give at death their money and property as they want. But creditors a decedent owed money, a spouse, and minor children under age 18 may have rights which this book later explains.

IN WILL CAN DO “SPECIFIC GIFTS” TO GIFT PARTICULAR PROPERTY

Most Wills have “specific gifts” to gift particular things. Specific gifts can be any property, like “I give boat to Ed Blom” and “I give UBank account #84553873 to Sue Wu”. If a gift is not clear the law assumes all of a kind of thing is given, like “I give jewelry to Ann Po” means all jewelry. But gifting specific property can have surprises like value of items can change, or a Will gift may later fail to occur if property is not owned at death.

IN WILL CAN DO “GENERAL GIFTS” LIKE OF MONEY

Wills can do “general gifts” where what is gifted is not particular property but can be flexibly chosen, like “I give 1 of my 3 cars to Ed Po” which lets an Executor pick which car. The usual general gift is money, like “I give \$5 to Ed Hill”. Money gifts are easy to write, let equal gifts be made, and are safer since specific items might not be owned at death. To carry out money gifts an Executor uses some accounts or sells property.

“RESIDUE CLAUSE” IS CATCH-ALL THAT HELPFULLY GIFTS ANYTHING LEFT

Most Wills by their end have a Residue Clause to gift property or money not gifted in a Will or used in other ways, often called a “catch-all” or “left-over” clause. The Residue Clause is covered later in this Chapter.

PERSON IN WILL GIFT USUALLY MUST SURVIVE OR GIFT DOES NOT OCCUR

Many Wills like this book’s Will forms say a person named in a Will gift must survive (live past) the Testator for the gift to occur unless gift language specifically says different. If survival is not required for a Will gift what happens if a named recipient is dead can be unclear (state laws can be very complex). People doing a Will should consider how Will gifts to people dying before Testator usually have no effect. People if they see a person in a Will gift has died can re-do a Will or just let the Residue Clause handle it.

CONDITIONS ON WILL GIFTS ARE RARE DUE TO POSSIBLE PROBLEMS

Putting conditions on a gift, like “I give Ann Poe \$90 if she graduates college”, can cause problems like years of delay, risk of lawsuits, and big attorneys fees. Due to all this conditions are rarely put on Will gifts.

PEOPLE CAN ADD AN “ALTERNATE BENEFICIARY” LIKE FOR SPECIAL ITEMS

A person named in a Will gift dying before a Testator is rare, and if seen people can re-do a Will to name a new person or let a Will's Residue Clause handle it. Some people to prepare for this chance maybe for special items write an alternate beneficiary, like “I give boat to Ed Liu but if they don't survive me to Ann Liu”.

PROPERTY OR MONEY IN A “JOINT GIFT” GOES TO MULTIPLE PEOPLE

The same property or money in a “joint gift” can go to many people to each get a part. For example, “I give boat and all hats to Ann Wu and Sue Han” means each person owns 50% of every item. People later can split things by agreement, or an Executor can decide how to divide things or can sell things and split the money. If a person in a joint gift has died their part usually is left to transfer under the Residue Clause.

CAN SAY IF PERSON IN GIFT DIES THEN IT GOES TO “LINEAL DESCENDANTS”

A Will gift can say it goes to a person but if they don't survive then to their “lineal descendants per stirpes”. Descendants are a person's children and grandchildren. “Per stirpes” is about “how” to spread things and means “by branch”, and basically tries to divide things so basically each family branch gets an equal share. Most Wills use “lineal descendants” language in a Residue Clause. An example shows how it works:

A Will may say: “**Clothes to Sue Wu but if they don't survive to their lineal descendants per stirpes**”, and this means if Sue Wu has died and her son Ken Wu is living and her other son Ben Wu has died but left 2 children then, legally, under the law Ken Wu himself gets 50% and Ben Wu's 2 children each get 25%.

GIFT BENEFICIARIES CAN GET PERCENTAGE RATHER THAN EQUAL SHARE

If a Will gift goes to multiple people the law assumes equal shares, but if wanted percentages can be used to make unequal gifts, like “I give boat 90% to Ed Wu and 10% to Joe Hud”.

LATER DIVORCE OR MURDER CANCELS WILL GIFTS

Oklahoma law says a person divorcing or murdering a Testator usually cancels all Will gifts to the person.

OKLAHOMA LAW DOES NOT LET A “LIST” OR “MEMO” ADD GIFTS TO A WILL

The law in Oklahoma unlike many states does not officially let a “List” or “Memo” be done outside a Will to add gifts. Despite this many people do a list or memo and trust their family to follow it (see next paragraph).

AFTER A DEATH FAMILIES OFTEN LET PEOPLE TAKE ITEMS UNOFFICIALLY

After a death many families all agree to unofficially let people take small items in ways a dead person mentioned, wrote on a memo or list or note, put on stickers, or would want, and this often is not a problem. If anyone objects a judge usually orders property and money be handed out as a Will and other legal things say -- but afterward people who got things can voluntarily re-transfer things to do what decedent wanted.

CAN LEAVE SOME WILL GIFT LINES BLANK OR WRITE THINGS LIKE “SKIPPED”

A person writing a Will can choose to not use some gifts lines in a Will legal form, like by just leaving them blank, writing things like “SKIPPED” or “NONE” in them, or using a computer to delete some gift lines. Judges and others usually do not care about neatness or empty spaces in Wills.

RESIDUE CLAUSE GIFTING ALL LEFT IS MAIN WAY USED TO GIFT THINGS

THE “RESIDUE CLAUSE” IS CATCH-ALL THAT HELPS GIFT ANYTHING LEFT

Most Wills by their end have a Residue Clause to gift any property or money not gifted earlier in a Will or used in other ways. Things transferred this way is called the “Residue”. Many people gift most their money and property this way by intentionally not mentioning in a Will most things so the Residue Clause handles it. Using the Residue Clause to give things avoids need to describe things and has less legal risk. Many people with a spouse or young children mostly use a Residue Clause and don’t do many other gifts. After applying a Residue Clause if anything is somehow left then a decedent’s closest heirs get things (this is closest family).

USUAL RESIDUE CLAUSE HAS 2 PARTS

A short 2 part Residue Clause is usual and is used in this book’s Will forms, and it has:

- 1) 1st space to name 1 or more persons to get things if they survive Testator (many name a spouse or closest family here), and if several people are named but only some survive then survivors split things, and
- 2) 2nd space to name persons to get things if all in the 1st space don’t survive (many people name next close family or friends in this space), and if a person in 2nd space has died their descendants get their share.

EXAMPLE OF 2 PART RESIDUE CLAUSE:

“RESIDUE CLAUSE: I give money and property not gifted earlier:

A) to my husband John Paul Doe if they survive me, then

B) to Sam Doe my son, Beth Wu my daughter, and Greta Fisher my friend and if any of those just named do not survive me their part goes to their lineal descendants, per stirpes.”

In this example if John Paul Doe has survived then he gets all things, but if John Paul Doe hasn’t survived and also Sam Doe hasn’t survived and he left 2 daughters then those 2 daughters split the 1/3 share of Sam Doe so get 1/6 each and other 2 persons in second part Beth Wu and Greta Fisher get 1/3 each.

PEOPLE CAN PUT SAME THING IN PARTS, SKIP PART, OR USE PERCENTAGES

A normal Residue Clause of 2 parts is often fine and basically person put in 1st part usually gets things. A small fraction of people may want to modify a Will to have a “1 Part Residue Clause” which may gift to a group more equally. People with no spouse and no children are likelier to do this change, but even they often don’t bother and just use this book’s Will forms as is. See Example below for exact words to use if people want this change to a 1 Part Residue Clause.

SOME PEOPLE CHANGE A RESIDUE CLAUSE TO HAVE 1 PART

Some people change a Residue Clause to have just 1 part since this can gift more equally and be easier to understand. See example in Appendix. For example a Residue Clause can be made to say:

“The rest, residue, and remainder of my estate, and anything else, I give to _____ who survive me and if any of those just named do not survive me their part goes to their lineal descendants per stirpes.”.

MUST SUFFICIENTLY DESCRIBE NAMES AND PROPERTY IN A WILL

PUTTING NAMES OF PEOPLE OR GROUPS IN A WILL IS FAIRLY EASY

Putting names in Wills is fairly easy. A judge or Executor assume a person in a Will meant people they know, so common names are OK unless 2 friends or family have the same name. Details can help if names won't be recognized or to be friendly, like "I give \$5 to my nurse Sue Ax" and "I give \$5 to loyal pal Ed Lee". If people used a nickname "also known as" or "a/k/a" may help, like "I give \$5 to Dan Smith a/k/a Old Fishy". Gifts can go to a charity, government, or group, like "I give \$80 to The Salvation Army, "I give \$10 to Tulsa County Library, OK", and "I give \$5 to Lob Church, Rex, Texas". People often phone to get a charity's name.

PUTTING DESCRIPTIONS OF ITEMS IN WILL GIFTS IS FAIRLY EASY

Describing items in gifts is easy since people rarely own similar items. Often fine are gifts like: "I give ax to Ed Wu" and "I give big table to Ann Fox". It's OK to gift by category or list, like: "I give tools to Sam Lee" and "I give cow, van, and harp to Sue Mo". Financial assets can use plain words, like "bank accounts" or "stocks", but details can help, like: "US Bank account ending #1511". Gifting using a location is riskier as judges will ignore Will gifts if it seems items were placed to affect gifting and no "independently significant" life reason. So, "I give Ed Po items in safe and desk" judges might not follow, but "I give Ed Po hats at cabin" likely is OK.

DESCRIBING REAL PROPERTY IS HARD SO MANY USE RESIDUE OR TITLE

The easier and safer way to gift real property (real estate) at death is: 1) do nothing specific so it's handled by a Will Residue Clause, or 2) have a broker or lawyer add names to a deed or similar to get real property.

Gifting real property other ways is harder though possible. Helpfully a Will gift of real property described by location legally does gift all land, buildings, and fixtures located there with no need to describe what's there.

It is possible to gift real property with very plain words, like a house, fixtures, and land can be fully given by something like: "I give 21 Salem Road, Norman, Oklahoma to Mary Ellen Brown".

Or people can do a blanket gift giving all of a kind of property, like, "I give all real property and fixtures I own in Rogers County, OK to Ann Sue Hill" or "I give all real property and fixtures in any place to Paul Ian Rex".

Giving real property in a Will using a "legal description" is how many lawyers do it, but this can be hard to do. If using a legal description people must copy without mistakes the full legal description of maybe many lines into a Will with no abbreviation at all. A legal description might be found on a deed or on mortgage papers. Legal descriptions may refer to a "lot" or "blocks" in a subdivision which is recorded in land records of a county, or it may refer to a path around the land borders with various angles, distances, and iron stakes.

INTESTATE LAW CONTROLS THINGS NOT COVERED BY WILL OR SIMILAR

“INTESTATE LAW” CONTROLS ITEMS NOT HANDLED BY A WILL OR SIMILAR

State “intestate law” says where property and money goes if you die with no valid Will or if things are left after a Will is followed, and if no other transfers apply. People may like what this law says and intentionally skip doing a Will. The law basically gives a dead person’s things to certain closest surviving (living) family. Note, by law if a person’s child has died any living children of them often get things in their place which is called “representation”, and “descendants” usually means a person’s children and grandchildren.

Note, the law has the term "property related to joint industry while married" but the law defines it broadly so it is most income and property gotten while married, and really only excludes a) gifts or inheritances given to only 1 spouse, and b) property or income that came before the marriage date or things bought with this.

Intestate law if it applies (like there’s no Will) starting at 84 Oklahoma Statutes § 213, says, in order:

1. If you are survived by a spouse but no children, parents, or siblings, then your spouse gets things;
2. If you are survived by children but no spouse, then your children get things;
3. If you are survived by a spouse and only surviving children from you and that spouse (so no children from a previous relationship), then your spouse gets 1/2 and your children get 1/2 of things;
4. If you are survived by a spouse and some children not shared with that spouse, then your spouse get 1/2 of property related to joint industry while married and the remaining 1/2 goes to all your children. The property not related to joint industry while married all goes to your children;
5. If you are survived by a spouse and at least 1 parent of you or 1 one brother or sister of you, then your spouse gets all property related to joint industry while married and 1/3 of other property, and the rest goes to any parents who survive and if there are none then to any brothers and sisters who survive;
6. If you are survived by at least 1 parent or at least 1 brother or sister, but have no surviving spouse or kids, then things go to any parents who survive and failing that then to any brothers and sisters who survive;
7. If you don’t leave any of the above surviving people, then surviving moderately distant family get things;
8. If you don’t leave any of the surviving people said above, things go (“escheats”) to the state of Oklahoma.

SIMPLE WILL WITH MOST GIFTING DONE BY RESIDUE CLAUSE IS OFTEN BEST

Writing a simple Will without many gifts, much left blank, and mostly using a Residue Clause is often best.

If there is a spouse often a person does small gifts to friends and family, then uses the Residue Clause of the Will to gift all remaining to their spouse, and then names a few fallback persons in the Residue Clause.

If there is no spouse and no child often a person does a few small gifts, and then names some family or friends in the Residue Clause to get everything remaining.

A parent with young children if married to the other parent often does small gifts to friends and family, then in the Residue Clause gives mostly to a spouse, and then names children as fallbacks in the Residue Clause.

A parent with young children if not married or close to the other parent often does very small gifts to friends and family, and then uses the Residue Clause to gift all remaining to their children.

CHAPTER 5

DEBT, MARRIAGE, HOMESTEAD, AND CHILD ISSUES

MANY PEOPLE CAN SKIP LEARNING ABOUT CERTAIN COMPLEX ISSUES

A few people face issues about debt, marriage, homestead, and children that can be very complex and hard to understand and only matter to some people. Many people can skip some or all parts of this Chapter.

DEBT ISSUES

PAYING DECEDENT'S DEBTS MAY USE UP RESOURCES AND REDUCE GIFTS

If a decedent had a lot of debts any creditors may ask a judge to be paid from decedent's money or property before Will gifts and certain transfers occur. How debts are paid is set by state law and a Will need not describe this. Funds to pay debts comes from decedent's property and estate so may affect (in order) the Will Residue, Will general gifts, Will specific gifts, and non-probate transfers. Probate, health care, and funeral debts by law have priority to be paid first. Note, for various reasons often not all debts are paid. People should consider how paying debts may use up money or property, leaving less to carry out Will gifts. A spouse and family usually aren't liable at all for decedent's debts unless they guaranteed or co-signed.

"FAMILY RIGHTS" OR OTHER THINGS MAY BE USED TO GET FAMILY THINGS

Most states in laws have "family rights" a decedent's surviving spouse or young children can choose to use, and this may let them get some of decedent's things before most of decedent's debts are paid back and also before a Will and other transfers occur. Oklahoma law partly has these rights to some degree. First, a surviving spouse and any children under 18 can claim a lot of decedent's property to own and use. To help a family live by law they usually can get and keep family photographs and books, all clothing of family and decedent, food and seed and fuel to last 1 year, and household furniture and bedding of any type. And they also can claim property normally by law exempt from creditors, which mainly is a further \$20,000 of various items, some educational and retirement accounts, and 1 car or truck with under \$7,500 of equity. Second, a surviving spouse or children can ask for a "Family Allowance" for money to live on for 1 year or so if property they got isn't enough support (often family get a sum equal to decedent's annual after-tax income). Third, a spouse and children have a homestead right to use the homestead for a time, and a spouse has the Elective Share right to get about 1/2 of decedent's things (these 2 rights are explained on the next page). Obviously if a spouse or children use family rights this leaves less property and money of the decedent to carry out Will gifts or other transfers. So that family don't bother to use family rights most people give mostly to their spouse or children under 18 (like over 50% and any family house).

SECURED DEBTS LIKE MORTGAGE OR VEHICLE LIEN ARE NOT PAID OFF

Laws in most states say don't pay off secured debts like a house mortgage or vehicle lien on property even if other debts are paid by an Executor or in probate. This avoids using estate funds on paying these big debts. All this book's Will forms say don't pay secured debts without clear written instructions. But if a Testator wants they can 1) put in a Will an order to pay (like, "Executor pay off the house mortgage"), or 2) gift money to pay off a debt to the person getting a property. Most banks let new owners keep paying monthly a secured debt.

MARRIAGE ISSUES

MOST STATES USE “SEPARATE PROPERTY LAW” FOR SPOUSES

Oklahoma and most states use the “Separate Property Law” system saying that a married person mostly owns their money and property separately and not jointly with a spouse. Therefore a spouse is mostly free to sell during life or gift by Will money and property they wholly own separately and not involve their spouse. But joint ownership by 2 spouses and not separate ownership can arise in many ways, like by agreement, paying half a purchase price, a gift was to both spouses, or if joint paperwork is done. Also many married people do a deed or other papers so a house on 1 spouse’s death automatically goes to the other spouse.

“COMMUNITY PROPERTY” LAW APPLIES IN OTHER STATES FOR SPOUSES

There are 9 states mostly in West and South U.S.A. that use “Community Property” law for spouses there (Arizona, California, Louisiana, Idaho, Nevada, New Mexico, Texas, Washington, and Wisconsin). This law says property or money is owned 50/50 by spouses as “Community Property” if it comes from physical or mental effort while living there and married (like labor or wages, management of a business, or active trading of a collection or stocks) or if it was bought or improved with other Community Property. Most people in Oklahoma avoid these issues unless they recently moved from any of these states.

SPOUSE CAN CLAIM “ELECTIVE SHARE” INSTEAD OF THEM FOLLOWING WILL

A spouse if unhappy with what a Will and other transfers may give them has a right to instead choose (elect) an “Elective Share” of a dead spouse’s property and money rather than take what a Will says they get. Most states do this for a spouse for fairness, so a spouse has resources to live on, and so early divorce isn’t the only way to be financially secure. Note, the law in places uses the term “property related to joint industry while married” but defines it broadly so it is most income and gains gotten while married, and mostly only excludes 1) a gift or inheritance to 1 spouse or property or 2) things owned before marriage began (or things bought with such property). In many cases the Elective Share is basically 1/2 of property and money the deceased spouse got during the marriage. Obviously if a spouse chooses to use the Elective Share and other rights to get half or so of a decedent’s things this may use up much of what decedent had and interfere with other transfers. To avoid a spouse wanting to use the Elective Share and other rights most married people give over 1/2 their things to any spouse (including any family house).

HOMESTEAD ISSUES

SPOUSE AND CHILDREN MAY HAVE HOMESTEAD RIGHT TO DECEDENT’S HOME

Under Oklahoma law a surviving spouse for their lifetime and children of the decedent till age 18 have a “homestead” right to use the homestead property. This usually is the house and surrounding land the decedent lived in, and this usually covers up to 1/4 of an acre in a city and up to 160 acres in the countryside. If there is both a spouse and children under 18 they split it 50/50 till the last child is 18. During this time those occupying the homestead must pay any mortgage interest, property taxes, and not harm the property. Obviously if a spouse or children use this right it may interfere with trying to give the homestead to others. Due to all this a person with a spouse or children under 18 usually gives the homestead property to them.

CHILD ISSUES

WILL CAN NAME “GUARDIAN OF THE PERSON” TO CARE FOR YOUNG CHILD

If a parent dies with a child under 18 any other natural or adopted parent (but not a step-parent) almost always automatically gets control of the child's care (including health care, school, and home issues). This doesn't occur only when they'll be unavailable a long time or are proven unfit in court which is very rare. But just in case it is later needed (like if later both parents die) a Will often names a healthy and willing relative or friend to be if needed “Guardian of the Person” to care for a child and have these powers.

WILL CAN NAME “GUARDIAN OF THE ESTATE” TO HANDLE CHILD'S PROPERTY

Since a child until age 18 can't legally manage money or property a Will often names a person to act as “Guardian of the Estate” to manage the child's property and money. They will decide each year how to use this property and money for a child's expenses (like school, living, and health care) till usually age 18 when all left goes to a child. Judges often hold a yearly hearing to review spending. Anyone paying things for a child can ask to be paid back from a child's money and property. And as a nice option most Wills at the end say an Executor may instead let a "Custodian" they pick manage a young child's property or money just like a Guardian of the Estate would. This is allowed by the “Uniform Transfers To Minors Act” law which lets a Custodian do most things a Guardian of the Estate does but with less work, costs, and delays.

MOST WILLS NAME 1 PERSON TO CARE FOR CHILD AND THEIR PROPERTY

This book's Will forms and most people in Oklahoma name the same person to be Guardian of the Person caring for a child and also be Guardian of the Estate caring for a child's money and property. But people can modify a Will to name different people for the 2 positions if wanted. But naming different people is rarely worth the bother since parents dying is rare, rarely do children get much, a person smart enough to handle a child usually can handle money, and naming different people can lead to arguments and lawsuits about spending.

PERSON TO BE A GUARDIAN MUST BE AT LEAST 18 AND NOT A BAD CRIMINAL

A person must be at least age 18 and usually not have a seriously bad criminal record (including no felonies) to serve as a Guardian of any type. Most family members can be a Guardian for a child no matter where they live, but non-family members must have lived in Oklahoma 1 year to be a Guardian. Being local usually does make work much easier. Choice for these positions by the last living parent usually is followed. If no Will picks a person for a position or they're unavailable a judge can pick, but family may argue about who to suggest to the judge. Naming 2 people for a position to act at the same time is rare since then the 2 persons may argue and any 1 person named should be trusted to be competent enough to act alone. Some Wills do add a 2nd fallback person to help a child if the 1st person is later unavailable, like: “or if they are later reasonably unable to serve I name ____ to serve”). But many people skip naming a fallback person since it's rarely needed, if a problem is seen a Will can be re-done, and a judge always can pick someone.

PICKING GUARDIANS RARELY MATTERS DESPITE PARENTS WORRYING

A young child having parents die is rare so parents shouldn't worry that much about this. A very large U.S. study of 311,900 people found 72,240 were under 18 and of these 2014 had lost 1 parent (2.78%) and just 97 both parents (just 0.13%), so losing parents is very rare. *Parent Mortality Census SIPP Paper #288.*

CHAPTER 6

BASIC IDEAS ABOUT HEALTH CARE FORMS

SOME BASIC IDEAS HELP PEOPLE UNDERSTAND HEALTH CARE FORMS

Some ideas help people understand health care forms.

■ By law people control their health care unless “incapacitated” by insufficient ability to a) communicate verbally or by notes, b) be rational, or c) be conscious. Unless incapacitated people just tell doctors what health care they want. In actuality most people keep control of health care till death or till no big treatment options remain, but people may worry they may be incapacitated a long time so do some health care forms.

■ If an adult 18 or older becomes incapacitated the adult’s closest family like spouse or adult child can make emergency decisions but they usually must then rush to a judge to get further power if no legal document gives them full power over health care.

■ In forms a person can be named to have control of health care if needed who is often called “Agent”.

■ In forms people can give written health care instructions doctors, family, Agent, and others must obey.

■ Parents do have power over health care of their child under age 18.

■ Some **young married people** give a spouse power over health care in case they are ever incapacitated. Some **young adults** give this power to parents. **Young people** are less often ill so often skip doing things.

■ Pain relief like pain drugs and comfort care is usually given even if forms say to stop or limit other care.

■ Most people only do a single long health care form that has a spot to give someone power over health care and a spot for instructions (this is often called a “Health Care Power of Attorney” though names vary).

■ For the rare times stopping health care (“pulling the plug”) likely matters due to extreme illness or old age:

-- most people do nothing special and trust family or Agent for health care to decide on stopping care based on many factors like pain, cost, hassle, suffering and time of treatment, beliefs, and chances of recovery;

-- a few people do a serious document to say to stop most health care if later doctors decide a person is incapacitated, has an irrevocable terminal condition or likely won’t regain good consciousness, and more medical care won’t help (this document to stop care is often called a “Living Will” though names vary);

-- a few people do a serious document to starting immediately block certain health care (and this often is called a “Do-Not-Resuscitate” if about resuscitation or called a “Physician’s Order” if about many treatments).

CHAPTER 7

FORM 1: WILL (STANDARD)

FORM 1 IS A STANDARD WILL THAT IS FLEXIBLE AND WITHOUT A GUARDIAN

Form 1 is a standard Will that is flexible and lets a person control many different things after their death. This form has no part about a Guardian so this form is for a person with no minor child under age 18. The term “Testament” is used in a Will name since long ago this was a separate document done with a Will. The person doing a Will is called the “Testator”.

FORM IS A WILL WITH SEVERAL PARTS

The form starts with places for a person to put their name (a full legal name is best but not required) and current main residence (most put a county but some put a city). A Will is still valid if people later move.

The 1st paragraph, “Gifts”, has many spaces to make either specific gifts of particular property or general gifts like of money. People can delete, copy and paste to add more, or leave blank these gift lines.

The 2nd paragraph, “Residue”, has a Residue Clause to say property and money left after other Will parts and other transfers is to be distributed in the way a person wrote in the blank parts of this paragraph.

The 3rd paragraph, “Administration”, has a space to name a Personal Representative to handle legal and other matters after a person’s death (some states and people use the old term “Executor” for this).

The 4th paragraph, “Miscellaneous”, has paragraphs of legal language to help avoid certain legal issues.

Last is a paragraph for the person doing the Will as Testator to date and sign and print their name and address, and a paragraph for the 2 witnesses to sign and print their name and addresses.

USUAL RESIDUE CLAUSE HAS 2 PLACES TO NAME PERSONS TO GET THINGS

In a Will “Residue Clause” anything left over after other Will parts is transferred as the clause directs. Many people use a Residue Clause to gift most their things. In this Will form’s Residue Clause there is:

- 1) a 1st space to name 1 or more persons to get the Residue, and if any person named here has died before the Will maker then any other persons named here in this 1st space take their share, and
- 2) a 2nd space to name people to get things if all people named in the 1st space have died, and if any people named in the 2nd space have died their shares go to “lineal descendants” like their children.

People often put in the 1st space a spouse or closest family or friends, and in 2nd space next closest people.

TESTATOR AND 2 WITNESSES WHILE TOGETHER SIGN WILL

This Will after being filled out (except bits intentionally left blank) must be signed by the person doing the Will (the “Testator”) in front of 2 persons acting as witnesses at least age 18 who then also sign the Will. Testator should aloud declare to witnesses it is their Will and they want it witnessed, and many people say a thing like: “My name is _____ and this is my Will that I do voluntarily and want you 2 people to witness”. Testator and witnesses should be in 1 room and see all others sign. Usually people try to pick witnesses so no Will gift is going to them. Witnesses usually just read the 1 paragraph of the Will they are signing below. Once completed a Will usually should be kept so it can be found quickly within weeks of a Testator’s death.

LAST WILL AND TESTAMENT

I, _____, of _____, Oklahoma,
do revoke all prior Wills and testamentary documents and do make, publish, and declare this
as my Will. I am of sound mind and under no duress or undue influence and act voluntarily.

1. GIFTS. I give these gifts in this Will, but to get a gift in this section the recipient must
survive me except as otherwise stated below.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

2. RESIDUE. I give the rest and residue and remainder of my estate, my money and
property of any kind and nature, and anything I have an interest in so long as it was not
transferred by other Will provisions (all of which is called the “residue”), as follows:

a) to _____ who survive
me with persons just named who survive me taking the share of non-survivors, then

b) to _____ and if any of
those just named do not survive me their part goes to their lineal descendants per stirpes.

3. ADMINISTRATION. I nominate and appoint _____
as Personal Representative including for me, my Will, and my estate.

4. MISCELLANEOUS. The following applies to this Will and generally.

My main residence is in the state of Oklahoma and its laws should apply to this Will.

In this document no unfilled part is a mistake and residue spaces may be left blank.

Priority of Will gifts of the same type is based on the order they are written.

If a gift or section in this Will reasonably mentions survival in any way then such survival is an absolute condition and anti-lapse laws or similar have no effect.

The words “give” and “gift” also means a devise, bequest, grant, legacy, or similar.

A gift of property no longer owned by me at death shall lapse and be of no effect including no payment of money shall be done in its place, and all without ademption.

Unless a Will gift specifies otherwise if a Will gift goes to multiple recipients if any do not survive me their part to them lapses and instead goes to other surviving recipients.

I am intentionally not providing by Will or other ways for some family and this is not a mistake or omission to remedy. In addition to earlier gifts I give any person who is an heir-at-law and who would have inherited had I died intestate the sum of \$5. I declare it is my specific intent not to make other provisions, including to my children or their issue.

No gift or transfer I made during my life to a person reduces or offsets a Will gift, unless during my life I expressly usually called it a loan or an advancement.

Unless another meaning is shown use of plural includes the singular and vice versa, “they” can mean 1 person, and masculine, feminine, and neuter words are interchangeably.

Unless a Will specifically says otherwise a) a secured debt including a mortgage or lien shall not be paid off including by a Personal Representative or in probate, b) a recipient of a Will gift of property takes it subject to debts, and c) no Will gift recipient who later loses property gifted to them to a debtor or who pays to avoid foreclosure or other loss may require the estate or anyone to pay recipient back, do exoneration, or do or pay anything.

I request and authorize any informal, summary, and quick probate or similar action. Any Personal Representative may act independently with no supervision of any court, including independent administration, and with no inventory, appraisal, or other action.

I give any Personal Representative the a) fullest authority, discretion, and powers allowed by state law, b) power to lease, sell, mortgage, convey, or keep property including real property in a manner and time they deem helpful or proper, and c) authority to settle or pay claims or debts as they in their sole discretion choose. Any Personal Representative is given all powers that may be given or held by them under Oklahoma law.

Any Personal Representative paying things for the estate should be paid this back.

A lawyer should be paid as Personal Representative agreed to pay and no percentage.

Any Personal Representative has sole discretion how to balance feelings of people and pick property or divide a gift to do a general gift or a gift to multiple persons.

Any Guardian of the Estate or a Custodian managing a minor’s property or money may use or invade the principal, sell the property, and do any other action without court action.

If context permits the terms Personal Representative and Executor and Administrator are interchangeable, Guardian of the Estate and Guardian of Property and Conservator and Custodian are interchangeable, and residue and residuary are interchangeable.

The residue includes lapsed or failed gifts, insurance paid to the estate, any inheritances owed, and property I have or had a power of appointment or testamentary disposition over.

Any Personal Representative, Executor, Administrator, Guardian including of the person or estate of a minor, Conservator, Custodian, and any fiduciary under this Will or otherwise shall qualify and serve without bond, surety, security, surety bond, or similar.

If part of this Will is by law invalid or unenforceable other provisions remain in effect.

Any Personal Representative may at any time transfer money or property of a minor under age 18 to a Custodian to serve under the Oklahoma Uniform Transfers to Minors Act or a similar law anywhere. They may pick the Custodian including themselves.

TESTATOR

IN WITNESS WHEREOF, I, the Testator, publish, declare, seal, and sign this instrument as my Will willingly in the presence of each of the undersigned witnesses, and that I execute it as my free and voluntary act for the purposes herein expressed, on the _____ day of _____, 20____.

Testator (signature)

Name and Residence (printed)

ATTESTATION

We whose names are hereby subscribed do hereby certify and declare that _____, the maker and publisher of the foregoing Will, the Testator, executed the same in our presence and in the presence of each of us, and at the same time declared to each of us that the same was the Will of the Testator, and we, thereupon, at Testator's request, in the presence of the Testator and each other, sign our names as witnesses this _____ day of _____, 20____.

Witness (signature)

Name and Residence (printed)

Witness (signature)

Name and Residence (printed)

CHAPTER 8

FORM 2: WILL (GUARDIAN)

FORM 2 IS BASIC WILL WITH GUARDIAN CLAUSE FOR YOUNG CHILD

Form 2 is a Will with a Guardian part to be used by a person with a minor child under age 18. The term “Testament” is used in a Will name since long ago this was a separate document done with a Will. The person doing a Will is called the “Testator”.

FORM IS A WILL WITH SEVERAL PARTS

The form starts with places for a person to put their name (a full legal name is best but not required) and current main residence (most put a county but some put a city). A Will is still valid if people later move.

The 1st paragraph, “Gifts”, has many spaces to make either specific gifts of particular property or general gifts like of money. People can delete, copy and paste to add more, or leave blank these gift lines.

The 2nd paragraph, “Residue”, has a Residue Clause to say property and money left after other Will parts and other transfers is to be distributed in the way a person wrote in the blank parts of this paragraph.

The 3rd paragraph, “Administration”, has a space to name a Personal Representative to handle legal and other matters after a person’s death (some states and people use the old term “Executor” for this).

The 4th paragraph, “Guardian”, names a person to if needed care for minor children as Guardian of the Person, and also if needed act as Guardian of the Estate to manage a child’s property and money.

The 5th paragraph, “Miscellaneous”, has paragraphs of legal language to help avoid certain legal issues.

Last is a paragraph for the person doing the Will as Testator to date and sign and print their name and address, and a paragraph for the 2 witnesses to sign and print their name and addresses.

USUAL RESIDUE CLAUSE HAS 2 PLACES TO NAME PERSONS TO GET THINGS

In a Will “Residue Clause” anything left over after other Will parts is transferred as the clause directs. Many people use a Residue Clause to gift most their things. In this Will form’s Residue Clause there is:

- 1) a 1st space to name 1 or more persons to get the Residue, and if any person named here has died before the Will maker then any other persons named here in this 1st space take their share, and
- 2) a 2nd space to name people to get things if all people named in the 1st space have died, and if any people named in the 2nd space have died their shares go to “lineal descendants” like their children.

People often put in the 1st space a spouse or closest family or friends, and in 2nd space next closest people.

TESTATOR AND 2 WITNESSES WHILE TOGETHER SIGN WILL

This Will after being filled out (except bits intentionally left blank) must be signed by the person doing the Will (the “Testator”) in front of 2 persons acting as witnesses at least age 18 who then also sign the Will. Testator should aloud declare to witnesses it is their Will and they want it witnessed, and many people say a thing like: “My name is _____ and this is my Will that I do voluntarily and want you 2 people to witness”. Testator and witnesses should be in 1 room and see all others sign. Usually people try to pick witnesses so no Will gift is going to them. Witnesses usually just read the 1 paragraph of the Will they are signing below. Once completed a Will usually should be kept so it can be found quickly within weeks of a Testator’s death.

LAST WILL AND TESTAMENT

I, _____, of _____, Oklahoma,
do revoke all prior Wills and testamentary documents and do make, publish, and declare this
as my Will. I am of sound mind and under no duress or undue influence and act voluntarily.

1. GIFTS. I give these gifts in this Will, but to get a gift in this section the recipient must survive me except as otherwise stated below.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

2. RESIDUE. I give the rest and residue and remainder of my estate, my money and property of any kind and nature, and anything I have an interest in so long as it was not transferred by other Will provisions (all of which is called the “residue”), as follows:

a) to _____ who survive me with persons just named who survive me taking the share of non-survivors, then

b) to _____ and if any of those just named do not survive me their part goes to their lineal descendants per stirpes.

3. ADMINISTRATION. I nominate and appoint _____ as Personal Representative including for me, my Will, and my estate.

4. GUARDIAN. I name _____ to be if needed the Guardian of the Person of any minor child of mine and to have care, authority, control, custody, and other control of them. I also name this same person to be if needed Guardian of the Estate of any minor child of mine or other minor and their property, money, and estate.

5. MISCELLANEOUS. The following applies to this Will and generally.

My main residence is in the state of Oklahoma and its laws should apply to this Will.

In this document no unfilled part is a mistake and residue spaces may be left blank.

Priority of Will gifts of the same type is based on the order they are written.

If a gift or section in this Will reasonably mentions survival in any way then such survival is an absolute condition and anti-lapse laws or similar have no effect.

The words “give” and “gift” also means a devise, bequest, grant, legacy, or similar.

A gift of property no longer owned by me at death shall lapse and be of no effect including no payment of money shall be done in its place, and all without ademption.

Unless a Will gift specifies otherwise if a Will gift goes to multiple recipients if any do not survive me their part to them lapses and instead goes to other surviving recipients.

I am intentionally not providing by Will or other ways for some family and this is not a mistake or omission to remedy. In addition to earlier gifts I give any person who is an heir-at-law and who would have inherited had I died intestate the sum of \$5. I declare it is my specific intent not to make other provisions, including to my children or their issue.

No gift or transfer I made during my life to a person reduces or offsets a Will gift, unless during my life I expressly usually called it a loan or an advancement.

Unless another meaning is shown use of plural includes the singular and vice versa, “they” can mean 1 person, and masculine, feminine, and neuter words are interchangeably.

Unless a Will specifically says otherwise a) a secured debt including a mortgage or lien shall not be paid off including by a Personal Representative or in probate, b) a recipient of a Will gift of property takes it subject to debts, and c) no Will gift recipient who later loses property gifted to them to a debtor or who pays to avoid foreclosure or other loss may require the estate or anyone to pay recipient back, do exoneration, or do or pay anything.

I request and authorize any informal, summary, and quick probate or similar action. Any Personal Representative may act independently with no supervision of any court, including independent administration, and with no inventory, appraisal, or other action.

I give any Personal Representative the a) fullest authority, discretion, and powers allowed by state law, b) power to lease, sell, mortgage, convey, or keep property including real property in a manner and time they deem helpful or proper, and c) authority to settle or pay claims or debts as they in their sole discretion choose. Any Personal Representative is given all powers that may be given or held by them under Oklahoma law.

Any Personal Representative paying things for the estate should be paid this back.

A lawyer should be paid as Personal Representative agreed to pay and no percentage.

Any Personal Representative has sole discretion how to balance feelings of people and pick property or divide a gift to do a general gift or a gift to multiple persons.

Any Guardian of the Estate or a Custodian managing a minor’s property or money may use or invade the principal, sell the property, and do any other action without court action.

If context permits the terms Personal Representative and Executor and Administrator are interchangeable, Guardian of the Estate and Guardian of Property and Conservator and Custodian are interchangeable, and residue and residuary are interchangeable.

The residue includes lapsed or failed gifts, insurance paid to the estate, any inheritances owed, and property I have or had a power of appointment or testamentary disposition over.

Any Personal Representative, Executor, Administrator, Guardian including of the person or estate of a minor, Conservator, Custodian, and any fiduciary under this Will or otherwise shall qualify and serve without bond, surety, security, surety bond, or similar.

If part of this Will is by law invalid or unenforceable other provisions remain in effect.

Any Personal Representative may at any time transfer money or property of a minor under age 18 to a Custodian to serve under the Oklahoma Uniform Transfers to Minors Act or a similar law anywhere. They may pick the Custodian including themselves.

TESTATOR

IN WITNESS WHEREOF, I, the Testator, publish, declare, seal, and sign this instrument as my Will willingly in the presence of each of the undersigned witnesses, and that I execute it as my free and voluntary act for the purposes herein expressed, on the _____ day of _____, 20____.

Testator (signature)

Name and Residence (printed)

ATTESTATION

We whose names are hereby subscribed do hereby certify and declare that _____, the maker and publisher of the foregoing Will, the Testator, executed the same in our presence and in the presence of each of us, and at the same time declared to each of us that the same was the Will of the Testator, and we, thereupon, at Testator's request, in the presence of the Testator and each other, sign our names as witnesses this _____ day of _____, 20____.

Witness (signature)

Name and Residence (printed)

Witness (signature)

Name and Residence (printed)

CHAPTER 9

FORM 3: HANDWRITTEN WILL

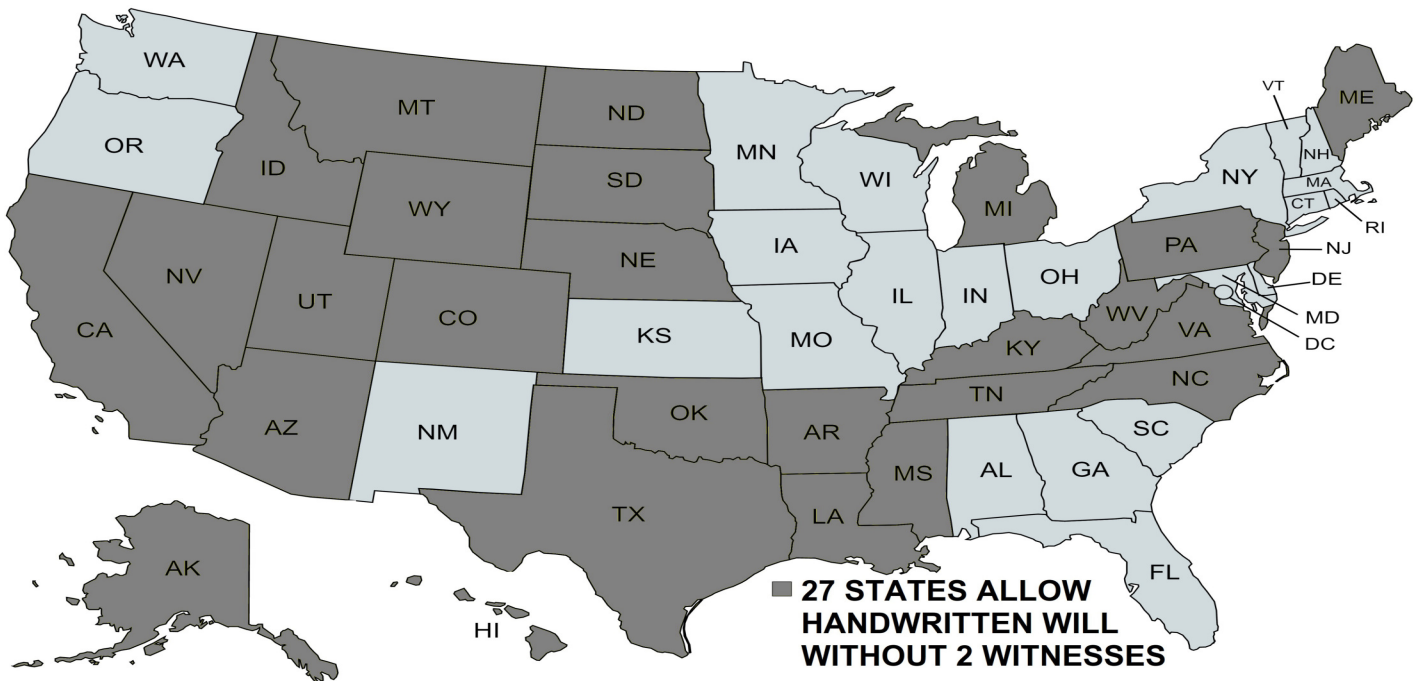
WILL CAN SKIP USING THE NORMAL 2 WITNESSES IF IT IS ALL HANDWRITTEN

A “Handwritten Will” (often called a “Holographic Will” by lawyers) is a Will that is easier to do by not needing the usual 2 witnesses see it signed if it is completely handwritten by the person doing the Will.

A legal aid group has a good review of Handwritten Wills at oklaw.org/resource/making-your-own-will.

HANDWRITTEN WILL WITHOUT WITNESSES IS ALLOWED IN OKLAHOMA

In 27 states including Oklahoma a person doing a Will can skip having the usual 2 witnesses for a Will if: 1) it is all handwritten by the person doing the Will (not photocopied, typed, computer printed, or handwritten by anyone else), and 2) it is signed and dated. Many people call this a “Handwritten Will”, and lawyers call this a “Holographic Will” (Holo means Whole and Graph means Image in the Greek language lawyers use). State lawmakers allow this since handwriting is hard to fake, people may be in emergency or rush, witnesses may be scarce in the countryside or emergencies, it is private, it can be cheap by skipping complexity and people, and it is traditional especially in rural places. States that allow Handwritten Wills have about 55% of the U.S. population so Handwritten Wills are common, and in these states these are about 5% of all Wills. Lawmakers want people to have this simple option. See states with Handwritten Wills on map below in dark.



HANDWRITTEN WILLS ARE USUALLY FINE BUT REQUIRE LATER WORK

Some lawyers warn against Handwritten Wills saying they often read confusingly, skip legal words that help in some cases, and are found invalid more often – but some studies show they are liked and usually fine. In Oklahoma to use a Handwritten Will after a death 3 witnesses must in writing or in testimony say the Will handwriting looks like the Testator’s, which can be a hassle. But a normal Will if no Self-Proving Affidavit before a notary was done also will need some later work to use it. Handwritten Wills tend to be done by people who are young so unlikely to need a Will soon, who are in a hurry, who want to fix a mistake, who are going on a trip and want to pick a Guardian, who moved to a new state, or who plan to do a better Will later.

WORDS ON BOTTOM OF THIS PAGE CAN BE USED FOR A HANDWRITTEN WILL

People can do a Handwritten Will in a sentence that is legal but may leave out helpful parts, for example:

“As my Will I give my estate and all else I have to Judy Smith who shall be Personal Representative.”

But it is recommended people use more complex words for a Handwritten Will shown below on this page.

To do this people should change the names and words below on this page to match what they want done.

The words below mainly say property and money goes to the persons whose names are written in the Will.

If some people named to get things later die it is usually best to re-do the Will and name different people.

The last paragraph about Guardians for children can be skipped if a person has no child under age 18.

This Will must be all handwritten and signed by person doing it on some paper, and using pencil is fine.

W I L L

1. *I am John David Smith and I now live in Tulsa County, Oklahoma.
I revoke any prior Wills and Codicils and declare this to be my Will.*
2. *I give my estate and all else to Jane Eve Smith and Wendy Sue Baxter. My not giving to some other family members is not a mistake.*
3. *I name Jane Eve Smith as Executor for me, my Will, and my estate. I request informal probate.*
4. *No Executor or Guardian or similar shall have to provide a bond.*
5. *For any minor child of mine I name Mary Sue Hill as Guardian of the Person and as Guardian of the Estate for them.*

May 8, 2023 John David Smith

CHAPTER 10

FORM 4: SELF-PROVING AFFIDAVIT

FORM IS SOMETIMES DONE WITH WILL TO REDUCE LATER LEGAL WORK

This form can be done to help with the later legal work involved with people using a Will after a death. This form must be done with a notary. This form is not required to have a valid Will and is often skipped.

FORM HELPS TO LATER SHOW WILL WAS PROPERLY SIGNED

This form helps after a death when trying to use a Will to prove it was properly signed. If a Self-Proving Affidavit form isn't done more work may be needed later, like later a witness to the Will must testify or submit a writing on how a Will was signed (if these people aren't available usually other proof can be given). But if this form isn't done there is more risk a Will is not followed later. Of people doing Wills about half skip doing a Self-Proving Affidavit mostly due to the hassle of using a notary each time a Will is done, and since it mostly just saves later minor work of people who are probably happy to do work to get things using a Will. Some other states have no Self-Proving Affidavit for Wills and manage fine without it.

FORM IS DONE BY TESTATOR AND 2 WITNESSES SIGNING WITH A NOTARY

To complete the Self-Proving Affidavit form a notary (also called "notary public") must see the form signed by the Testator and the 2 witnesses to the Will signing, and then the notary signs and notarizes it. The form is often done a few minutes after a Will is signed but it also can be done much later (even years later) when Testator and 2 witnesses can meet a notary. Any notary will know how to fill out and sign the Self-Proving Affidavit. The Self-Proving Affidavit is then usually stapled or paper-clipped to the Will.

SELF-PROVING AFFIDAVIT

THE STATE OF OKLAHOMA)
COUNTY OF _____) SS.

Before me, the undersigned authority, on this day personally appeared

_____, _____ and
_____, known to me to be the Testator (called
herein "the Testator") and the Witnesses respectively whose names are subscribed to the
annexed or foregoing instrument in their respective capacities, and, all of said persons being
by me first duly sworn, and the said Testator declared to me and to the said Witnesses in my
presence that said instrument is the Testator's Will, and that the Testator had willingly made
and executed it as free and voluntary act and deed for the purposes therein expressed; and the
said Witnesses each on their oath stated to me in the presence and hearing of the Testator,
that the Testator had declared to them that said instrument is the Testator's Will, and that the
Testator executed the same as such and wanted each of them to sign it as a Witness; and
upon their oaths each Witness stated further that they did sign the same as Witnesses in the
presence of the Testator and each other and at the Testator's request and that the Testator
was at that time 18 years of age or over and was of sound mind.

Testator (signature)

Name and Residence (printed)

Witness (signature)

Name and Residence (printed)

Witness (signature)

Name and Residence (printed)

NOTARY: Subscribed and acknowledged before me by _____,
Testator, and subscribed and sworn before me by _____ and
_____, Witnesses, this _____ day of _____, 20_____.

(SEAL)

(Signature of Notary) _____

CHAPTER 11

FORM 5: HEALTH CARE POWER OF ATTORNEY

FORM CAN NAME HEALTH CARE AGENT AND GIVE INSTRUCTIONS

This form lets a person name someone as Agent to control health care and also give instructions for health care. This is a statutory form found at 63 Oklahoma Statutes § 3111.5 for people to use if wanted. This 1 form is often the only form to control health care people ever do.

FORM CAN NAME AGENT FOR HEALTH CARE AND GIVE INSTRUCTIONS

The form lets someone be named as Agent to control health care if later the person doing the form is incapacitated. This person sometimes is called the “attorney-in-fact” but they needn’t be a real attorney. Often named as Agent is a trusted spouse, adult child, relative, or a friend. Naming a family member like a spouse or an adult child as Agent can avoid their need to rush to a judge for more power if a person falls ill. The Agent usually should not be a worker or owner at a place giving health care to the person. A 2nd person can be named to serve as Agent if needed but this rarely matters and most people just skip this. In the middle of the form is 1 box to check and 2 places to initial, and this almost always should be done since it lets the Agent act sooner and confirms they should try to do what a person would have wanted. The form has an area to give some health care instructions but many people skip this since 1) they trust the wisdom of their family or Agent and 2) if instructions aren’t legally or medically clear the instructions can cause big legal problems or delays.

PERSON SIGNS FORM IN FRONT OF 2 WITNESSES

The form should be signed by the person doing the form in front of 2 witnesses who then also sign. Witnesses should be at least 18, not someone with power over the person’s health care, and not be likely to get money or property from the person by Will or by operation of state law. Once the form is completed usually the form is shown to places that may give care to put in a person’s medical file to read and follow. To cancel the form a person usually tells their doctor and any places that saw the form.

HEALTH CARE POWER OF ATTORNEY

(63 Oklahoma Statutes § 3111.5)

You have the right to give instructions about your own health care. You also have the right to name someone else to make health care decisions for you. This form lets you do either or both of these things. If you use this form, you may complete or modify all or any part of it. You are free to use a different form.

This form is a power of attorney for health care that lets you name another individual as agent to make health care decisions for you if you become incapable of making your own decisions or if you want someone else to make those decisions for you now even though you are still capable. You may also name an alternate agent to act for you if your first choice is not willing, able, or reasonably available to make decisions for you. Unless related to you your agent may not be an owner, operator, or employee of a residential long-term health care institution at which you are receiving care.

Unless the form you sign limits the authority of your agent, your agent may make all health care decisions for you. This form has a place for you to limit the authority of your agent. You need not limit the authority of your agent if you wish to rely on your agent for all health care decisions that may have to be made. If you choose not to limit the authority of your agent, your agent will have the right to:

- 1. Consent or refuse consent to any care, treatment, service, or procedure to maintain, diagnose, or otherwise affect a physical or mental condition;**
- 2. Select or discharge health care providers and facilities; and**
- 3. Sign a do-not-resuscitate consent.**

This form does not authorize the agent to make any decisions directing the withholding or withdrawal of life-sustaining treatment, nutrition, or hydration, which may only be authorized in compliance with the Oklahoma Advance Directive Act, except that this form may authorize the agent to sign a do-not-resuscitate consent.

After completing this form, sign and date the form at the end. It is required that two other individuals sign as witnesses. These witnesses must be at least 18 years old and not related to you or named to inherit from you. Give a copy of the signed and completed form to your physician, to any other health care providers you may have, to any health care facility at which you are receiving care, and to any health care agents you have named. You should talk to the person you have named as agent to make sure that he or she understands your wishes and is willing to take the responsibility.

You have the right to revoke this power of attorney for health care or replace it at any time.

1. DESIGNATION OF AGENT: I designate the following individual as my agent to make health care decisions for me:

(name of individual you choose as agent)

(address) (city) (state) (zip code)

(home phone) (work phone) (cell phone)

OPTIONAL: If I revoke my agent's authority or if my agent is not willing, able, or reasonably available to make a health care decision for me, I designate as my first alternate agent:

(name of individual you choose as first alternate agent)

(address) (city) (state) (zip code)

(home phone) (work phone) (cell phone)

2. AGENT'S AUTHORITY: My agent is authorized to make all health care decisions (not to include the withholding or withdrawal of life-sustaining treatment, nutrition, or hydration, other than signing a do-not-resuscitate consent) for me that I could make if I were able, except as I state here:

(Add additional sheets if needed.)

3. WHEN AGENT'S AUTHORITY BECOMES EFFECTIVE: My agent's authority becomes effective when my attending physician determines that I am unable to make my own health care decisions unless I mark the following box. **If I mark this box [], my agent's authority to make health care decisions for me takes effect immediately.**

(Initials)

4. AGENT'S OBLIGATION: My agent shall make health care decisions for me in accordance with this power of attorney for health care and my other wishes to the extent known to my agent. To the extent my wishes are unknown my agent shall make health care decisions for me in accordance with what my agent determines to be in my best interest. In determining my best interest, my

agent shall consider the decisions I would have made myself to the extent known to my agent.

(Initials)

5. RELIEF FROM PAIN: Except as I state in the following space, I direct that treatment for alleviation of pain or discomfort be provided at all times, even if it hastens my death:

(Add additional sheets if needed.)

6. OTHER WISHES: (If you do not agree with any of the optional choices above and wish to write your own, or if you wish to add to the instructions you have given above, you may do so here.)
I direct that:

(Add additional sheets if needed.)

7. EFFECT OF COPY: A copy of this form has the same effect as the original.

8. SIGNATURES: Sign and date the form here:

(date) (sign your name) (print your name)

(address) (city) (state) (zip code)

SIGNATURE OF WITNESSES

First Witness:

(date) (sign your name) (print your name)

(address) (city) (state) (zip code)

Second Witness:

(date) (sign your name) (print your name)

(address) (city) (state) (zip code)

CHAPTER 12

FORM 6: ADVANCE DIRECTIVE FOR HEALTH CARE

IN FORM CAN SAY TO STOP CARE IF DOCTORS LATER THINK IT WON'T HELP

This form lets a person do serious act of saying stop health care they're ever incapacitated and their doctors later think it likely won't help. This is a statutory form found in law at 63 Oklahoma Statutes § 3101.4. This form is found online at many state and legal aid groups. This form is often called the "Living Will" form. But most people skip doing this form since it rarely matters, it is stressful and a hassle to do, and people trust family or others to make wise decisions considering dozens of factors if these issues arise.

IN "LIVING WILL" PART CAN SAY STOP CARE LATER IF IT WON'T HELP

The main part of the form, the "Living Will", says if a person is later incapacitated that health care partly or fully should stop if doctors later think more care won't help. A person can pick some options. First, a person can say if doctors think they have a terminal condition that'll kill them within 6 months that most care shouldn't be given, and most people pick the 2nd option in the form, saying: **"I direct my life not be extended by life-sustaining treatment, including artificially administered nutrition and hydration"**. Second, a person can say if doctors think the person will be persistently unconscious that most care shouldn't be given, and again most people who do this form pick the 2nd option which stops most care. Third, a person can say if doctors later think they have an end-stage condition (which is a severe deterioration with complete dependency with no available effective treatment) that most care should no longer be given, and again most people who do this form pick the 2nd option which stops most care. Last, in the Living Will part is a spot to give specific instructions but most people skip this as unneeded and since if instructions aren't clear this can cause legal problems. Healthy people can do this form just in case.

IN "HEALTH CARE PROXY" PART A PERSON CAN GET CONTROL OF CARE

The form has a part to name a "Health Care Proxy" to make health care decisions if a person is later incapacitated so can't do this themselves. This is like naming a "Health Care Power Of Attorney" (see previous Chapter) and basically a Proxy can do all the same things so this part is often skipped.

IN "ANATOMICAL GIFTS" PART SOME GIFTS OF BODY PARTS CAN BE MADE

The form has a part to make Anatomical Gifts so parts of a person's body after death can be used for organ transplants, research, or similar things. Most people skip this part since they don't want to make anatomical gifts or they already have arranged this in some state drivers license or state ID forms.

PERSON SIGNS FORM WITH 2 WITNESSES

The form should be signed by the person doing the form in front of 2 witnesses who then also sign. Witnesses should be at least 18, not someone with power over the person's health care, and not be likely to get money or property from the person by Will or by operation of state law. Once the form is completed usually the form is shown to places that may give care to put in a person's medical file to read and follow. To cancel the form a person usually tells their doctor and any places that saw the form.

ADVANCE DIRECTIVE FOR HEALTH CARE

(63 Oklahoma Statutes § 3101.4)

If I am incapable of making an informed decision regarding my health care, I direct my health care providers to follow my instructions below.

I. Living Will

If my attending physician and another physician determine I am no longer able to make decisions regarding my medical treatment, I direct my attending physician and other health care providers, pursuant to the Oklahoma Advance Directive Act, to follow my instructions as set forth below:

1. If I have a **terminal condition**, that is, an incurable and irreversible condition that even with the administration of life-sustaining treatment will, in the opinion of the attending physician and another physician, result in death within six (6) months:

(initial one option only)

_____ I direct that my life not be extended by life-sustaining treatment, except if I am unable to take food and water by mouth, I wish to receive artificially administered nutrition and hydration.

_____ I direct that my life not be extended by life-sustaining treatment, including artificially administered nutrition and hydration.

_____ I direct that I be given life-sustaining treatment and, if I am unable to take food and water by mouth, I wish to receive artificially administered nutrition and hydration.

(Initial if applicable)

_____ See my more specific instructions in paragraph (4) below.

2. If I am **persistently unconscious**, that is, I have an irreversible condition, as determined by the attending physician and another physician, in which thought and awareness of self and environment are absent:

(initial one option only)

_____ I direct that my life not be extended by life-sustaining treatment, except if I am unable to take food and water by mouth, I wish to receive artificially administered nutrition and hydration.

_____ I direct that my life not be extended by life-sustaining treatment, including artificially administered nutrition and hydration.

_____ I direct that I be given life-sustaining treatment and, if I am unable to take food and water by mouth, I wish to receive artificially administered nutrition and hydration.

(Initial if applicable)

_____ See my more specific instructions in paragraph (4) below.

3. If I have an **end-stage condition**, that is, a condition caused by injury, disease, or illness, which results in severe and permanent deterioration indicated by incompetency and complete physical dependency for which treatment of the irreversible condition would be medically ineffective:

(initial one option only)

_____ I direct that my life not be extended by life-sustaining treatment, except that if I am unable to take food and water by mouth, I wish to receive artificially administered nutrition and hydration.

_____ I direct that my life not be extended by life-sustaining treatment, including artificially administered nutrition and hydration.

_____ I direct that I be given life-sustaining treatment and, if I am unable to take food and water by mouth, I wish to receive artificially administered nutrition and hydration.

(Initial if applicable)

_____ See my more specific instructions in paragraph (4) below.

4. Other.

Here you may:

(a) describe **other conditions in which you would want life-sustaining treatment or artificially administered nutrition and hydration provided**, withheld, or withdrawn,

(b) give **more specific instructions** about your wishes concerning life-sustaining treatment or artificially administered nutrition and hydration if you have a terminal condition, are persistently unconscious, or have an end-stage condition, or

(c) do both of these:

II. My Appointment of My Health Care Proxy

If my attending physician and another physician determine that I am no longer able to make decisions regarding my medical treatment, **I direct my attending physician and other health care providers** pursuant to the Oklahoma Advance Directive Act **to follow the instructions of:**

_____, **whom I appoint as my health care proxy.**

If my health care proxy is unable or unwilling to serve, I appoint _____ as my **alternate health care proxy** with the same authority.

My health care proxy is authorized to make whatever medical treatment decisions I could make if I were able, except that decisions regarding life-sustaining treatment and artificially administered nutrition and hydration can be made by my health care proxy or alternate health care proxy only as I have indicated in the foregoing sections.

If I fail to designate a health care proxy in this section, I am deliberately declining to designate a health care proxy.

III. Anatomical Gifts

Pursuant to the provisions of the Uniform Anatomical Gift Act, I direct that at the time of my death my entire body or designated body organs or body parts be donated **for purposes of:**

(Initial all that apply)

_____ transplantation

_____ therapy

_____ advancement of medical science, research, or education

_____ advancement of dental science, research, or education

Death means either irreversible cessation of circulatory and respiratory functions or irreversible cessation of all functions of the entire brain, including the brain stem. If I initial the “yes” line below, **I specifically donate:**

(Initial all that apply)

_____ My entire body; or

The following body organs or parts:

_____ lungs

_____ liver

_____ arteries

_____ pancreas

_____ heart

_____ glands

_____ kidneys

_____ brain

_____ tissue

_____ skin

_____ bones/marrow

_____ eyes/cornea/lens

_____ bloods/fluids

_____ tissue

_____ other

IV. General Provisions

- a. I understand that I must be eighteen (18) years of age or older to execute this form.
- b. I understand that my witnesses must be eighteen (18) years of age or older and shall not be related to me and shall not inherit from me.
- c. I understand that if I have been diagnosed as pregnant and that diagnosis is known to my attending physician, I will be provided with life-sustaining treatment and artificially administered hydration and nutrition unless I have, in my own words, specifically authorized that during a course of pregnancy, life-sustaining treatment and/or artificially administered hydration and/or nutrition shall be withheld or withdrawn.

- d. In the absence of my ability to give directions regarding the use of life-sustaining procedures, it is my intention that this advance directive shall be honored by my family and physicians as the final expression of my legal right to choose or refuse medical or surgical treatment including, but not limited to, the administration of life-sustaining procedures, and I accept the consequences of such choice or refusal.
- e. This advance directive shall be in effect until it is revoked.
- f. I understand that I may revoke this advance directive at any time.
- g. I understand and agree that if I have any prior directives, and if I sign this advance directive, my prior directives are revoked.
- h. I understand the full importance of this advance directive and I am emotionally and mentally competent to make this advance directive.
- i. I understand that my physician(s) shall make all decisions based upon his or her best judgment applying with ordinary care and diligence the knowledge and skill that is possessed and used by members of the physician's profession in good standing engaged in the same field of practice at that time, measured by national standards.

Signed this _____ day of _____, 20____.

Signature

Residence (City, county, and state)

Date of birth (optional)

WITNESSES

This advance directive was signed in my presence.

Signature of Witness

Address (street address, city, state)

Signature of Witness

Address (street address, city, state)

CHAPTER 13

FORM 7: DO-NOT-RESUSCITATE (DNR) CONSENT

FORM SAYS STARTING IMMEDIATELY DO NOT TRY TO RESUSCITATE

This form lets a person say starting immediately do not try to resuscitate them to help if their breathing or heart stops or has problems. This form is rarely used and usually only by the sickest or oldest people. This is a statutory form found in law found at 63 Oklahoma Statutes § 3131.5 for people to use if wanted. The form is short and can be read fast (like by paramedics) and is often used outside a hospital or other facilities (paramedics usually will ignore other forms), but it can be used inside of health facilities also. Note, many facilities use the longer “Physician Orders For Life-Sustaining Treatment” form (the “POLST”) that lets a person say to immediately no longer try many kinds of treatments not just resuscitation.

FORM SAYS TO IMMEDIATELY NO LONGER TRY TO RESUSCITATE

In the form a person can say starting immediately do not try to resuscitate the person, which includes most kinds of treatments to re-start or help either breathing or the heart. This includes cardio-pulmonary resuscitation (C.P.R.) which is pushing chest and blowing air in lungs, electric shock to restart heart or get a stable heartbeat, and machines that help or force breathing. A person with capacity still thinking OK can override the form by clearly verbally requesting care or by just not showing paramedics or others the form. Note, if a person has done this form they are still usually taken to get pain relief and other comfort care.

PERSON SIGNS FORM WITH 2 WITNESSES

The form should be signed by the person doing the form in front of 2 witnesses who then also sign and put their addresses. Witnesses should be at least 18, not someone with power over the person's health care, and not be likely to get money or property from the person by Will or by operation of state law. Once done a form usually is shown to places that may give health care so they can follow it. Some people keeps copies handy for themselves or family to show to paramedics and others who want try and give care. A copy of the form might be kept on bedside table, on a fridge, pinned to a shirt or in a pocket, or some people wear a special bracelet doctors can help order. To cancel the form usually a person simply tells all places shown the form it is canceled. Note, there is an optional 2nd page of the form that is not shown which is only used if a person is already incapacitated and a doctor and the person's agent do this form.

OKLAHOMA DO-NOT-RESUSCITATE (DNR) CONSENT FORM

(63 Oklahoma Statutes § 3131.5)

I, _____, request limited health care as described in this document. If my heart stops beating or if I stop breathing, no medical procedure to restore breathing or heart function will be instituted by any health care provider including, but not limited to, emergency medical services (EMS) personnel.

I understand that this decision will not prevent me from receiving other health care such as the Heimlich maneuver or oxygen and other comfort care measures.

I understand that I may revoke this consent at any time in one of the following ways:

1. If I am under the care of a health care agency, by making an oral, written, or other act of communication to a physician or other health care provider of a health care agency;
2. If I am not under the care of a health care agency, by destroying my do-not-resuscitate form, removing all do-not-resuscitate identification from my person, and notifying my attending physician of the revocation;
3. If I am incapacitated and under the care of a health care agency, my representative may revoke the do-not-resuscitate consent by written notification to a physician or other health care provider of the health care agency or by oral notification to my attending physician; or
4. If I am incapacitated and not under the care of a health care agency, my representative may revoke the do-not-resuscitate consent by destroying the do-not-resuscitate form, removing all do-not-resuscitate identification from my person, and notifying my attending physician of the revocation.

I give permission for this information to be given to EMS personnel, doctors, nurses, and other health care providers. I hereby state I am making an informed decision and agree to a do-not-resuscitate order.

Signature of Person

OR

Signature of Representative

(Limited to an attorney-in-fact for health care decisions acting under the Oklahoma Health Care Agent Act, a health care proxy acting under the Oklahoma Advance Directive Act or a guardian of the person appointed under the Oklahoma Guardianship and Conservatorship Act.)

Date

This DNR consent form was signed in my presence.

Signature of Witness

Address

Signature of Witness

Address

CHAPTER 14

FORM 8: STATUTORY POWER OF ATTORNEY

FORM LETS POWER GO TO A PERSON OVER PROPERTY, MONEY, AND MORE

This form lets a person give power to someone to do things with the person's property, money, and more. This is a statutory form found in state law at 58 Oklahoma Statutes § 3041. The form at start and the end has pages of information for people to read and these pages of information must always be part of the form. Many people call this form a "Financial Power Of Attorney".

FORM GIVES POWER TO LET SOMEONE DO THINGS

This form lets a person give power to do things with their money, property, records, and other things to someone trusted like a spouse, adult child, or friend. The person giving power is called the "Principal" and person getting power called the "Agent" (often called the "Attorney in Fact"). This form can let someone help use accounts, pay bills, buy or sell items, sign contracts, hire workers, take out debt, see records, and more. The form may help if a person is sick or busy, and may avoid having to use more serious legal options like a guardianship involving a court. A person who isn't incapacitated can overrule or fire the Agent at any time. Instructions for an Agent can be written but most skip this since if things are unclear a bank or others may delay or refuse to obey an Agent. In the form a person can also say who'd they'd prefer if ever needed to be Guardian of the Person to control their care, and Guardian of the Estate to control their property and money. This form is often called "durable" since it uses the more helpful option of saying it still has power if the person doing it is later incapacitated. This form is effective once signed which is now common and skips the old option of a "springing power of attorney" that only has power once an event occurs.

IN FORM CAN SELECT NORMAL POWERS AND MORE RISKY POWERS TO GIVE

The form lets a person say which more normal powers are given in the "General Authority" part, and most people give all these powers (by initialing the "All Preceding Subjects" line) because they trust their Agent and if power is not clear a bank or others may hesitate or refuse to do what the Agent wants done. In the "Specific Authority" part some more risky powers can be given and most people skip these powers.

DUE TO RISKS MANY SKIP THIS FORM OR CONSULT A LAWYER

Many people skip this form or first see a lawyer. Using this form is risky and can lead to harm since the Agent can be wasteful with money, commit fraud or theft, by carelessness allow other harms, or do worse. A person acting as Agent has a duty to be loyal and act reasonably and can be sued for any harm, but they may later be out of money to pay. Usually banks and others can't be blamed for obeying an Agent's orders. The law is complex and basic acts may be fine for Agent like paying bills but some acts may be improper like making gifts, risky investments, or unusual acts. It is best if a person not their Agent does anything unusual.

PERSON SIGNS FORM IN FRONT OF A NOTARY

A person usually signs the form in front of a notary who notarizes it. Once done usually the form is given to the person given power to use if needed. To cancel the form a person should tell Agent and maybe places shown the form. When an Agent signs a contract it should be like: "Ed Wu signing as Agent under a Power of Attorney for Sue Hill". The form's last page is an optional "Certification" page banks may later ask Agent sign.

OKLAHOMA STATUTORY POWER OF ATTORNEY FORM

IMPORTANT INFORMATION

This power of attorney authorizes another person (your agent) to make decisions concerning your property for you (the principal). Your agent will be able to make decisions and act with respect to your property (including your money) whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in the Uniform Power of Attorney Act, Section 3001 et seq. of Title 58 of the Oklahoma Statutes.

This power of attorney does not authorize the agent to make health care decisions for you.

You should select someone you trust to serve as your agent. Unless you specify otherwise, generally the agent's authority will continue until you die or revoke the power of attorney or the agent resigns or is unable to act for you.

Your agent is entitled to reasonable compensation unless you state otherwise in the Special Instructions.

This form provides for designation of one agent. If you wish to name more than one agent you may name a coagent in the Special Instructions. Coagents are not required to act together unless you include that requirement in the Special Instructions.

If your agent is unable or unwilling to act for you, your power of attorney will end unless you have named a successor agent. You may also name a second successor agent.

This power of attorney becomes effective immediately unless you state otherwise in the Special Instructions.

If you have questions about the power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.

DESIGNATION OF AGENT

I, _____ (Name of Principal),
name the following person as my agent:

Name of Agent: _____

Agent's Address: _____

Agent's Telephone Number: _____

DESIGNATION OF SUCCESSOR AGENT(S) (OPTIONAL)

If my agent is unable or unwilling to act for me, I name as my successor agent:

Name of Successor Agent: _____

Successor Agent's Address: _____

Successor Agent's Telephone Number: _____

GRANT OF GENERAL AUTHORITY

I grant my agent and any successor agent general authority to act for me with respect to the following subjects as defined in the Uniform Power of Attorney Act, Section 3001 et seq. of Title 58 of the Oklahoma Statutes:

(INITIAL each subject you want to include in the agent's general authority. If you wish to grant general authority over all of the subjects you may initial "All Preceding Subjects" instead of initialing each subject.)

(_____) Real Property

(_____) Tangible Personal Property

(_____) Stocks and Bonds

(_____) Commodities and Options

(_____) Banks and Other Financial Institutions

(_____) Operation of Entity or Business

(_____) Insurance and Annuities

(_____) Estates, Trusts and Other Beneficial Interests

(_____) Claims and Litigation

(_____) Personal and Family Maintenance

(_____) Benefits from Governmental Programs or Civil or Military Service

(_____) Retirement Plans

(_____) Taxes

(_____) **All Preceding Subjects**

GRANT OF SPECIFIC AUTHORITY (OPTIONAL)

My agent MAY NOT do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below:

(CAUTION: Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death.

INITIAL ONLY the specific authority you WANT to give your agent.)

- (_____) Create, amend, revoke or terminate an inter vivos trust
- (_____) Make a gift, subject to the limitations of the Uniform Power of Attorney Act, § 3040 of Title 58 of the Oklahoma Statutes and any special instructions in this power of attorney
- (_____) Create or change rights of survivorship
- (_____) Create or change a beneficiary designation
- (_____) Authorize another person to exercise the authority granted by this power of attorney
- (_____) Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan
- (_____) Exercise fiduciary powers that the principal has authority to delegate
- (_____) Access the content of electronic communications
- (_____) Disclaim or refuse an interest in property, including a power of appointment

LIMITATION ON AGENT'S AUTHORITY

An agent that is not my ancestor, spouse or descendant MAY NOT use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the Special Instructions.

SPECIAL INSTRUCTIONS (OPTIONAL)

You may give special instructions on the following lines:

EFFECTIVE DATE

This power of attorney is effective immediately unless I say otherwise in the Special Instructions.

NOMINATION OF GUARDIAN (OPTIONAL)

If it becomes necessary for a court to appoint a guardian of my estate or guardian of my person, I nominate the following person(s) for appointment:

Name of Nominee for **guardian of my estate**: _____

Nominee's Address: _____

Nominee's Telephone Number: _____

Name of Nominee for **guardian of my person**: _____

Nominee's Address: _____

Nominee's Telephone Number: _____

RELIANCE ON THIS POWER OF ATTORNEY

Any person, including my agent, may rely upon the validity of this power of attorney or a copy of it unless that person knows it has terminated or is invalid.

SIGNATURE AND ACKNOWLEDGMENT

Your Signature

Date

Your Name Printed

Your Telephone Number

Your Address

Notary:

STATE OF OKLAHOMA

COUNTY OF _____

This document was acknowledged before me on the ____ day of _____, 20____,
by _____ (Name of Principal).

(Seal, if any)

Signature of Notary _____

My commission expires: _____

This document prepared by: _____

IMPORTANT INFORMATION FOR AGENT

AGENT'S DUTIES

When you accept the authority granted under this power of attorney, a special legal relationship is created between you and the principal. This relationship imposes upon you legal duties that continue until you resign or the power of attorney is terminated or revoked. You must:

1. Do what you know the principal reasonably expects you to do with the principal's property or, if you do not know the principal's expectations, act in the principal's best interest;
2. Act in good faith;
3. Do nothing beyond the authority granted in this power of attorney; and
4. Disclose your identity as an agent whenever you act for the principal by writing or printing the name of the principal and signing your own name as "agent" in the following manner:
(Principal's Name) by (Your Signature) as Agent

Unless the Special Instructions in this power of attorney state otherwise, you must also:

1. Act loyally for the principal's benefit;
2. Avoid conflicts that would impair your ability to act in the principal's best interest;
3. Act with care, competence and diligence;
4. Keep a record of all receipts, disbursements and transactions made on behalf of the principal;
5. Cooperate with any person that has authority to make health care decisions for the principal to do what you know the principal reasonably expects or, if you do not know the principal's expectations, to act in the principal's best interest; and
6. Attempt to preserve the principal's estate plan if you know the plan and preserving the plan is consistent with the principal's best interest.

TERMINATION OF AGENT'S AUTHORITY

You must stop acting on behalf of the principal if you learn of any event that terminates this power of attorney or your authority under this power of attorney. Events that terminate a power of attorney or your authority to act under a power of attorney include:

1. Death of the principal;
2. The principal's revocation of the power of attorney or your authority;
3. The occurrence of a termination event stated in the power of attorney;
4. The purpose of the power of attorney is fully accomplished; or
5. If you are married to the principal, a legal action is filed with a court to end your marriage, or for your legal separation, unless the Special Instructions in this power of attorney state that such an action will not terminate your authority.

LIABILITY OF AGENT

The meaning of the authority granted to you is defined in the Uniform Power of Attorney Act, Section 3001 et seq. of Title 58 of the Oklahoma Statutes. If you violate the Uniform Power of Attorney Act, Section 3001 et seq. of Title 58 of the Oklahoma Statutes, or act outside the authority granted, you may be liable for any damages caused by your violation.

If there is anything about this document or your duties that you do not understand, you should seek legal advice.

AGENT'S CERTIFICATION AS TO THE VALIDITY OF POWER OF ATTORNEY AND AGENT'S AUTHORITY

(optional and may be done upon later bank request)

STATE OF OKLAHOMA

COUNTY OF _____

I, _____ (Name of Agent), certify under penalty of perjury
that _____ (Name of Principal) granted me authority as
an agent or successor agent in a Power of Attorney dated _____.

I further certify that to my knowledge:

1. The Principal is alive and has not revoked the Power of Attorney or my authority to act under the Power of Attorney and the Power of Attorney and my authority to act under the Power of Attorney have not terminated;
2. If the Power of Attorney was drafted to become effective upon the happening of an event or contingency, the event or contingency has occurred;
3. If I was named as a successor agent, the prior agent is no longer able or willing to serve; and
4. _____

_____.

(Insert other relevant statements)

SIGNATURE AND ACKNOWLEDGMENT

Agent's Signature

Date

Agent's Name Printed

Agent's Telephone Number

Agent's Address

Notary: This document was acknowledged before me on the _____ day of
_____, 20____, by _____ (Name of Agent).

(Seal, if any)

Signature of Notary _____

My commission expires: _____

This document prepared by: _____

CHAPTER 15

FORM 9: POWER OF ATTORNEY TO DELEGATE PARENTAL OR LEGAL CUSTODIAN POWERS

FORM LETS PARENT SHARE POWER WITH SOMEONE OVER CHILD UNDER 18

This form lets a parent of a child under age 18 share power over them with someone named in the form. This is a statutory form found in state law at 10 Oklahoma Statutes § 701 for people to use if ever wanted. Most but not all states now allow this kind of form.

FORM CAN GIVE POWER TO SOMEONE OVER CHILD UNDER 18

In the form a parent called in the form the “Principal” can give some power over a child under 18 to a person they name who is called the “Attorney-in-Fact” (though this person need not be a real attorney). The person who did the form can usually fire the Attorney-in-Fact or overrule a decision. Often given power is a relative, friend, or teacher who now or later may watch a child for the parent. This form is sometimes used if a parent or a child are separated for work, school, training, drug rehabilitation, sports, prison, military, immigration, or long visits. This form can be done if a person watches a child briefly but often, like if children after school visit family. The form is mostly not done for brief or normal situations like daycare, babysitter, short visits, or anytime a parent can come quickly. This form can avoid need for more serious legal actions. Most parents put their initials before paragraph 3 to say they share all their powers, and very few parents instead put initials before paragraph 4 to only give limited powers they write out here. In Paragraph 5 most people write to say the form is effective from now to 1 year from now (so these 2 dates must be written in). The power of this form can only last for 1 year but people can re-do the form as many times as wanted. People can modify the form to make room for additional children.

FORM IS SIGNED BY PARENT OR CUSTODIAN WITH A NOTARY

The form must be signed by a parent or legal custodian in front of a notary who then notarizes the form. Some people change the form to add room for a 2nd parent to sign to make it likelier people like doctors and teachers trust the form. Once done some extra cautious people quickly show the form to schools and doctors to help explain they should follow it later. Once signed usually a parent gives the form to the person getting power to use whenever it is needed. To cancel things a person should tell the Agent and maybe also tell places that saw the form.

POWER OF ATTORNEY TO DELEGATE PARENTAL OR LEGAL CUSTODIAN POWERS

(10 Oklahoma Statutes § 701)

1. "I certify that I am the parent or legal custodian of:

(Full name of minor child)

(Date of birth)

(Full name of minor child)

(Date of birth)

(Full name of minor child)

(Date of birth).

2. "I designate _____,
(Full name of Attorney-in-fact)

(Street address, city, state and zip code of Attorney-in-fact)

(Home phone of Attorney-in-fact)

(Work phone of Attorney-in-fact)

as the attorney-in-fact of each minor child named above."

3. _____ (INITIAL) "I delegate to the attorney-in-fact all of my power and authority regarding the care, custody and property of each minor child named above, including but not limited to the right to enroll the child in school, inspect and obtain copies of education records and other records concerning the child, the right to attend school activities and other functions concerning the child, and the right to give or withhold any consent or waiver with respect to school activities, medical and dental treatment, and any other activity, function or treatment that may concern the child. This delegation shall not include the power or authority to consent to marriage or adoption of the child, the performance or inducement of an abortion on or for the child, or the termination of parental rights to the child."

Or

4. _____ (INITIAL) "I delegate to the attorney-in-fact the following specific powers and responsibilities (write in specific powers and responsibilities):

_____.

This delegation shall not include the power or authority to consent to marriage or adoption of the child, the performance or inducement of an abortion on or for the child, or the termination of parental rights to the child."

5. "This power of attorney is effective for a period not to exceed one year, beginning on _____, 20____, and ending _____, 20____. I reserve the right to revoke this authority at any time."

By: _____
(Parent/Legal Custodian signature)

6. "I hereby accept my designation as attorney-in-fact for (write in names of minor children):

as specified in this power of attorney."

(Attorney-in-fact signature)

Notary:

STATE OF OKLAHOMA
COUNTY OF _____

ACKNOWLEDGEMENT

Before me, the undersigned, a Notary Public, in and for said County and State on this ____ day of _____, 20____, personally appeared _____ (Name of Parent/Legal Custodian) and _____ (Name of Attorney-in-fact), to me known to be the identical persons who executed this instrument and acknowledged to me that each executed the same as his or her free and voluntary act and deed for the uses and purposes set forth in the instrument.

Witness my hand and official seal the day and year above written.

(Seal, if any)

(Signature of notarial officer)

(Title and Rank)

My commission expires: _____

CHAPTER 16

FORM 10: DISPOSITION OF REMAINS AND APPOINTMENT OF AGENT

LETS PERSON BE NAMED AND INSTRUCTIONS GIVEN TO HANDLE DEAD BODY

This form lets someone be named and instructions given by a person to control their body after death (their “remains”) and related things like funeral, burial, cremation, ceremonies, and buying things for all this.

FORM CAN NAME PERSON TO CONTROL DEAD BODY AND GIVE INSTRUCTIONS

This form lets a person designate someone as their Agent to control the person’s dead body and all related issues like funeral, burial, cremation, ceremonies, and buying goods and services for all this. If this form is not done under state law control of all this is by the closest family member (in order this means a spouse, adult children, parents, then siblings). People do this form rarely mostly if it seems family may be too upset while mourning, be bad with money, or do unwanted things. Payment for these things comes from pre-paid funeral accounts, insurance, and a dead person’s money and property, and family and Executor are legally required to help arrange payment to do as the dead person wanted or as their Agent wants. The form also has a spot for instructions like saying what funeral, burial, cremation, ceremonies, songs, scriptures, pastors, food, and other things are wanted. However many people skip instructions and trust Agent or family to do what they mentioned they wanted. People can use the instructions spot to remind people what arrangements have already been made like if burial plots have already been paid for. Note, if people do write instructions then their family and Executor are required to carry out what is written. In recent years more and more people write they want “Direct Burial” or “Direct Cremation”, and this is an affordable option done fast in a few days and without family watching, and later family often hold an informal event (often called a “Celebration Dinner”) either without the body at all or when family later get the ashes or can visit the grave. About half of people now do cremation which is more affordable rather than burial.

PERSON SIGNS FORM IN FRONT OF A NOTARY

To complete the form a person signs the form in front of a person who is a notary who then notarizes it. Once done the form can be given to someone to hold and use when needed, or it can be put in a place where it can be found quickly within just a few days of a death (like in a file cabinet, a safe, or desk drawer).

DISPOSITION OF REMAINS AND APPOINTMENT OF AGENT

Under Oklahoma law, you may direct the manner in which your body, or parts of your body, is disposed. You may also designate an agent to direct the manner of disposition, or carry out your wishes. You may choose to do either one of these, or both.

I, _____, residing at _____,

being of sound mind, make known that upon my death my body **shall be disposed of in the following manner:** _____

_____.

I do hereby **designate as my agent** _____,
who has an address and telephone number of _____,

with the right to carry out the disposition directions expressed in this document, and in the absence of disposition directions, to have custody and control of my body and to determine the disposition of my body.

(your signature)

Notary: Subscribed and sworn to before me this _____ day of the month of _____ of the year _____.

(signature of notary)

APPENDIX: SAMPLE FILLED OUT FORMS

TO GET FORMS TO USE PEOPLE CAN:

- (1) PHOTOCOPY BOOK PAGES,
- (2) TEAR OUT PAGES FROM A BOOK, OR
- (3) DOWNLOAD BOOK WITH FORMS FROM WWW.DAVENPORTPUBLISHING.COM
AND USUALLY PDF FORM AT IS BEST TO AVOID SPACING/FORMAT CHANGES.

EMAIL ANY COMMENTS TO DAVENPORTPRESS@GMAIL.COM.

On the next pages to show how it can be done are some sample filled out legal forms.

People can add words to legal forms by computer or typewriter to be neater, but many people just by hand use pen, marker, or pencil to handwrite words into forms.

It is not required but is bit better if signatures are in ink or marker not pencil.

Many parts of the forms especially Will gifts can be left empty and unfilled.

Anyone can fill in words in legal form not just the person doing the form, like a friend with neat writing can fill in all the words, addresses, and dates that are needed.
Only the final signatures must be done by each person who wants the form.

To add words in form by pen, pencil, typewriter, or computer any of these is fine:

"I appoint John Doe as Agent" ,

"I appoint John Doe as Agent",

"I appoint John Doe as Agent".

When doing forms it may help to know "respectively" means "in order just stated".

People need not worry about neatness or small mistakes, and a document is usually fine if those people who knew a decedent in life can tell the likely meaning.

Sample Filled Out Form: Last Will and Testament (Standard)
with Gifts section skipped to not bother making small gifts

LAST WILL AND TESTAMENT

I, Paul Samuel Maxwell, of Tulsa County, Oklahoma, do revoke all prior Wills and testamentary documents and do make, publish, and declare this as my Will. I am of sound mind and under no duress or undue influence and acting voluntarily.

1. GIFTS. I give these gifts in this Will, but to get a gift in this section the recipient must survive me except as otherwise stated below.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

I give _____ to _____.

SKIPPED

2. RESIDUE. I give the rest and residue and remainder of my estate, my money and property of any kind and nature, and anything I have an interest in so long as it was not transferred by other Will provisions (all of which is called the “residue”), as follows:

a) to Susan Lee Maxwell who survive me with persons just named who survive me taking the share of non-survivors, then

b) to Oscar David Maxwell and Jennifer Judy Tabor and if any of those just named do not survive me their part goes to their lineal descendants, per stirpes.

3. ADMINISTRATION. I nominate and appoint Susan Lee Maxwell as Personal Representative including for me, my Will, and my estate.

4. MISCELLANEOUS. The following applies to this Will and generally.

My main residence is in the state of Oklahoma and its laws should apply to this Will.

In this document no unfilled part is a mistake and residue spaces may be left blank.

Priority of Will gifts of the same type is based on the order they are written.

If a gift or section in this Will reasonably mentions survival in any way then such survival is an absolute condition and anti-lapse laws or similar have no effect.

The words “give” and “gift” also means a devise, bequest, grant, legacy, or similar.

A gift of property no longer owned by me at death shall lapse and be of no effect including no payment of money shall be done in its place, and all without ademption.

Unless a Will gift specifies otherwise if a Will gift goes to multiple recipients if any do not survive me their part to them lapses and instead goes to other surviving recipients.

I am intentionally not providing by Will or other ways for some family and this is not a mistake or omission to remedy. In addition to earlier gifts I give any person who is an heir-at-law and who would have inherited had I died intestate the sum of \$5. I declare it is my specific intent not to make other provisions, including my children or to their issue.

No gift or transfer I made during my life to a person reduces or offsets a Will gift, unless during my life I expressly usually called it a loan or an advancement.

Unless another meaning is shown use of plural includes the singular and vice versa, “they” can mean 1 person, and masculine, feminine, and neuter words are interchangeably.

Unless a Will specifically says otherwise a) a secured debt including a mortgage or lien shall not be paid off including by a Personal Representative or in probate, b) a recipient of a Will gift of property takes it subject to debts, and c) no Will gift recipient who later loses property gifted to them to a debtor or who pays to avoid foreclosure or other loss may require the estate or anyone to pay recipient back, do exoneration, or do or pay anything.

I request and authorize any informal, summary, and quick probate or similar action. Any Personal Representative may act independently with no supervision of any court, including independent administration, and with no inventory, appraisal, or other action.

I give any Personal Representative the a) fullest authority, discretion, and powers allowed by state law, b) power to lease, sell, mortgage, convey, or keep property including real property in a manner and time they deem helpful or proper, and c) authority to settle or pay claims or debts as they in their sole discretion choose. Any Personal Representative is given all powers that may be given or held by them under Oklahoma law.

Any Personal Representative paying things for the estate should be paid this back.

A lawyer should be paid as Personal Representative agreed to pay and no percentage.

Any Personal Representative has sole discretion how to balance feelings of people and pick property or divide a gift to do a general gift or a gift to multiple persons.

Any Guardian of the Estate or a Custodian managing a minor’s property or money may use or invade the principal, sell the property, and do any other action without court action.

If context permits the terms Personal Representative and Executor and Administrator are interchangeable, Guardian of the Estate and Guardian of Property and Conservator and Custodian are interchangeable, and residue and residuary are interchangeable.

The residue includes lapsed or failed gifts, insurance paid to the estate, any inheritances owed, and property I have or had a power of appointment or testamentary disposition over.

Any Personal Representative, Executor, Administrator, Guardian including of the person or estate of a minor, Conservator, Custodian, and any fiduciary under this Will or otherwise shall qualify and serve without bond, surety, security, surety bond, or similar.

If part of this Will is by law invalid or unenforceable other provisions remain in effect.

Any Personal Representative may at any time transfer money or property of a minor under age 18 to a Custodian to serve under the Oklahoma Uniform Transfers to Minors Act or a similar law anywhere. They may pick the Custodian including themselves.

TESTATOR

IN WITNESS WHEREOF, I, the Testator, publish, declare, seal, and sign this instrument as my Will willingly in the presence of each of the undersigned witnesses, and that I execute it as my free and voluntary act for the purposes herein expressed, on the 22nd day of June, 2022.

Paul Samuel Maxwell

Testator (signature)

Paul Samuel Maxwell, 83 Wagon Wheel Road, Tulsa, OK 74108

Name and Residence (printed)

ATTESTATION

We whose names are hereby subscribed do hereby certify and declare that

Paul Samuel Maxwell, the maker and publisher of the foregoing Will, the Testator, executed the same in our presence and in the presence of each of us, and at the same time declared to each of us that the same was the Will of the Testator, and we, thereupon, at Testator's request, in the presence of the Testator and each other, sign our names as witnesses this 22nd day of June, 2022.

Eve Mable Rogers

Witness (signature)

Eve Mable Rogers, 14 2nd St., Tulsa, OK 74105

Name and Residence (printed)

Mary Ann Moon

Witness (signature)

Mary Ann Moon, 35 Buffalo Road, Broken Arrow, OK 74101

Name and Residence (printed)

Sample Filled Out Form: Last Will and Testament (Guardian)
with Many Specific Gifts and with Residue Clause Given By Percentages

LAST WILL AND TESTAMENT

I, Paul Brian Kent, of Cleveland County, Oklahoma, do revoke all prior Wills and testamentary documents and do make, publish, and declare this as my Will. I am of sound mind and under no duress or undue influence and acting voluntarily.

1. GIFTS. I give these gifts in this Will, but to get a gift in this section the recipient must survive me except as otherwise stated below.

I give big oak table to Anne J. Smith .

I give \$5,000 to Loretta Marsha Baxter .

I give 63 Ivy Road, Norman, Oklahoma to Kenneth Alan Ford .

I give all real property and fixtures I own in Tulsa County, Oklahoma to Amy Marie Fox and Pamela Sue Fox .

I give 903 Iceberg Road, Anchorage, Alaska to James Eric Hanson .

I give Bronze Roman Lamp to Anne Kilby and Kevin Kilby.

I give wedding ring and 1998 Ford Truck to Ruth Jones.

I give all jewelry not given above to Kay Baxter and Mary Baxter .

I give \$781.35 to Mary Natalie Swanson .

I give Wells Fargo acct ending in #8923 to Lawrence Deer a hunting buddy .

I give all spare tires and auto parts to Victor Perez my mechanic .

I give \$1000 to each of my grandchildren .

2. RESIDUE. I give the rest and residue and remainder of my estate, my money and property of any kind and nature, and anything I have an interest in so long as it was not transferred by other Will provisions (all of which is called the “residue”), as follows:

a) to Ruth May Kent my wife who survive me with persons just named who survive me taking the share of non-survivors, then

b) to 45% to Oscar Elliot Kent my son, and 45% to Karen Lisa Lundy my daughter, and 10% to Oscar Sanchez my friend and if any of those just named do not survive me their part goes to their lineal descendants, per stirpes.

3. ADMINISTRATION. I nominate and appoint Ruth May Kent my wife as Personal Representative including for me, my Will, and my estate.

4. GUARDIAN. I hereby name Michael Harold Kent to be if needed the Guardian of the Person of any minor child of mine and to have care, authority, control, custody, and other control of them. I also name this same person to be if needed Guardian of the Estate of any minor child of mine or other minor and their property, money, and estate.

5. MISCELLANEOUS. The following applies to this Will and generally.

My main residence is in the state of Oklahoma and its laws should apply to this Will.

In this document no unfilled part is a mistake and residue spaces may be left blank.

Priority of Will gifts of the same type is based on the order they are written.

If a gift or section in this Will reasonably mentions survival in any way then such survival is an absolute condition and anti-lapse laws or similar have no effect.

The words “give” and “gift” also means a devise, bequest, grant, legacy, or similar.

A gift of property no longer owned by me at death shall lapse and be of no effect including no payment of money shall be done in its place, and all without ademption.

Unless a Will gift specifies otherwise if a Will gift goes to multiple recipients if any do not survive me their part to them lapses and instead goes to other surviving recipients.

I am intentionally not providing by Will or other ways for some family and this is not a mistake or omission to remedy. In addition to earlier gifts I give any person who is an heir-at-law and who would have inherited had I died intestate the sum of \$5. I declare it is my specific intent not to make other provisions, including to my children or their issue.

No gift or transfer I made during my life to a person reduces or offsets a Will gift, unless during my life I expressly usually called it a loan or an advancement.

Unless a Will specifically says otherwise a) a secured debt including a mortgage or lien shall not be paid off including by a Personal Representative or in probate, b) a recipient of a Will gift of property takes it subject to debts, and c) no Will gift recipient who later loses property gifted to them to a debtor or who pays to avoid foreclosure or other loss may require the estate or anyone to pay recipient back, do exoneration, or do or pay anything.

I request and authorize any informal, summary, and quick probate or similar action. Any Personal Representative may act independently with no supervision of any court, including independent administration, and with no inventory, appraisal, or other action.

I give any Personal Representative the a) fullest authority, discretion, and powers allowed by state law, b) power to lease, sell, mortgage, convey, or keep property including real property in a manner and time they deem helpful or proper, and c) authority to settle or pay claims or debts as they in their sole discretion choose. Any Personal Representative is given all powers that may be given or held by them under Oklahoma law.

Any Personal Representative paying things for the estate should be paid this back.

A lawyer should be paid as Personal Representative agreed to pay and no percentage.

Any Personal Representative has sole discretion how to balance feelings of people and pick property or divide a gift to do a general gift or a gift to multiple persons.

Any Guardian of the Estate or a Custodian managing a minor's property or money may use or invade the principal, sell the property, and do any other action without court action.

If context permits the terms Personal Representative and Executor and Administrator are interchangeable, Guardian of the Estate and Guardian of Property and Conservator and Custodian are interchangeable, and residue and residuary are interchangeable.

Any Personal Representative, Executor, Administrator, Guardian including of the person or estate of a minor, Conservator, Custodian, and any fiduciary under this Will or otherwise shall qualify and serve without bond, surety, security, surety bond, or similar.

If part of this Will is by law invalid or unenforceable other provisions remain in effect.

Any Personal Representative may at any time transfer money or property of a minor under age 18 to a Custodian to serve under the Oklahoma Uniform Transfers to Minors Act or a similar law anywhere. They may pick the Custodian including themselves.

TESTATOR

IN WITNESS WHEREOF, I, the Testator, publish, declare, seal, and sign this instrument as my Will willingly in the presence of each of the undersigned witnesses, and that I execute it as my free and voluntary act for the purposes herein expressed, on the 30th day of December, 2019.

Paul Brian Kent

Testator (signature)

Paul Brian Kent, 762 Bear Avenue, Muskogee, OK 74087

Name and Residence (printed)

ATTESTATION

We whose names are hereby subscribed do hereby certify and declare that Paul Brian Kent, the maker and publisher of the foregoing Will, the Testator, executed the same in our presence and in the presence of each of us, and at the same time declared to each of us that the same was the Will of the Testator, and we, thereupon, at Testator's request, in the presence of the Testator and each other, sign our names as witnesses this 30th day of December, 2019.

Olivia Joy Pawlenty

Witness (signature)

Olivia Joy Pawlenty, 87 Forest Road, Bartlesville, OK 74001

Name and Residence (printed)

Roy Felix Pawlenty

Witness (signature)

Roy Felix Pawlenty, 87 Forest Road, Bartlesville, OK 74001

Name and Residence (printed)

Sample Filled Out Form: Last Will and Testament (Guardian)
with Gifts Section Shortened and Will modified to have 1 Part Residue Clause

LAST WILL AND TESTAMENT

I, David Eric Smith, of Osage County, Oklahoma, do revoke all prior Wills and testamentary documents and do make, publish, and declare this as my Will.

I am of sound mind and under no duress or undue influence and acting voluntarily.

1. GIFTS. I give these gifts in this Will, but to get a gift in this section the recipient must survive me except as otherwise stated below.

I give \$500 to each one of my brothers, sisters, and cousins.

I give \$1000 to Baker Food Shelf on Smith Road in Norman, Oklahoma.

2. RESIDUE. The rest and residue and remainder of my estate, my property of any kind and nature, and anything I have an interest in, I give to Adam Michael Smith and Ann Sue Baker who survive me and to lineal descendants per stirpes of a person just named who did not survive me.

3. ADMINISTRATION. I name and appoint Ann Sue Baker as Personal Representative including for me, my Will, and my estate.

4. GUARDIAN. I hereby name Stephanie Ann Frankowski to be if needed the Guardian of the Person of any minor child of mine and to have care, authority, control, custody, and other control of them. I also name this same person to be if needed Guardian of the Estate of any minor child of mine or other minor and their property, money, and estate.

5. MISCELLANEOUS. The following applies to this Will and generally.

My main residence is in the state of Oklahoma and its laws should apply to this Will.

In this document no unfilled part is a mistake and residue spaces may be left blank.

Priority of Will gifts of the same type is based on the order they are written.

If a gift or section in this Will reasonably mentions survival in any way then such survival is an absolute condition and anti-lapse laws or similar have no effect.

The words “give” and “gift” also means a devise, bequest, grant, legacy, or similar.

A gift of property no longer owned by me at death shall lapse and be of no effect including no payment of money shall be done in its place, and all without ademption.

Unless a Will gift specifies otherwise if a Will gift goes to multiple recipients if any do not survive me their part to them lapses and instead goes to other surviving recipients.

I am intentionally not providing by Will or other ways for some family and this is not a mistake or omission to remedy. In addition to earlier gifts I give any person who is an

heir-at-law and who would have inherited had I died intestate the sum of \$5. I declare it is my specific intent not to make other provisions, including my children or to their issue.

No gift or transfer I made during my life to a person reduces or offsets a Will gift, unless during my life I expressly usually called it a loan or an advancement.

Unless another meaning is shown use of plural includes the singular and vice versa, “they” can mean 1 person, and masculine, feminine, and neuter words are interchangeably.

Unless a Will specifically says otherwise a) a secured debt including a mortgage or lien shall not be paid off including by a Personal Representative or in probate, b) a recipient of a Will gift of property takes it subject to debts, and c) no Will gift recipient who later loses property gifted to them to a debtor or who pays to avoid foreclosure or other loss may require the estate or anyone to pay recipient back, do exoneration, or do or pay anything.

I request and authorize any informal, summary, and quick probate or similar action. Any Personal Representative may act independently with no supervision of any court, including independent administration, and with no inventory, appraisal, or other action.

I give any Personal Representative the a) fullest authority, discretion, and powers allowed by state law, b) power to lease, sell, mortgage, convey, or keep property including real property in a manner and time they deem helpful or proper, and c) authority to settle or pay claims or debts as they in their sole discretion choose. Any Personal Representative is given all powers that may be given or held by them under Oklahoma law.

Any Personal Representative paying things for the estate should be paid this back.

A lawyer should be paid as Personal Representative agreed to pay and no percentage.

Any Personal Representative has sole discretion how to balance feelings of people and pick property or divide a gift to do a general gift or a gift to multiple persons.

Any Guardian of the Estate or a Custodian managing a minor’s property or money may use or invade the principal, sell the property, and do any other action without court action.

If context permits the terms Personal Representative and Executor and Administrator are interchangeable, Guardian of the Estate and Guardian of Property and Conservator and Custodian are interchangeable, and residue and residuary are interchangeable.

The residue includes lapsed or failed gifts, insurance paid to the estate, any inheritances owed, and property I have or had a power of appointment or testamentary disposition over.

Any Personal Representative, Executor, Administrator, Guardian including of the person or estate of a minor, Conservator, Custodian, and any fiduciary under this Will or otherwise shall qualify and serve without bond, surety, security, surety bond, or similar.

If part of this Will is by law invalid or unenforceable other provisions remain in effect.

Any Personal Representative may at any time transfer money or property of a minor under age 18 to a Custodian to serve under the Oklahoma Uniform Transfers to Minors Act or a similar law anywhere. They may pick the Custodian including themselves.

TESTATOR

IN WITNESS WHEREOF, I, the Testator, publish, declare, seal, and sign this instrument as my Will willingly in the presence of each of the undersigned witnesses, and that I execute it as my free and voluntary act for the purposes herein expressed, on the 21st day of June, 2021.

David Eric Smith

Testator (signature)

28 Booker Road., Lake City, OK 70080

Name and Residence (printed)

ATTESTATION

We whose names are hereby subscribed do hereby certify and declare that David Eric Smith , the maker and publisher of the foregoing Will, the Testator, executed the same in our presence and in the presence of each of us, and at the same time declared to each of us that the same was the Will of the Testator, and we, thereupon, at Testator's request, in the presence of the Testator and each other, sign our names as witnesses this 21st day of June, 2021.

John Elliot Potter

Witness (signature)

John Elliot Potter, 2 Spruce St, Sherwood, OK 74050

Name and Residence (printed)

Ann Paula Blom

Witness (signature)

Ann Paula Blom, 70 Rocky Road, Little Rock, AR 70011

Name and Residence (printed)

Sample Filled Out Form: Self-Proving Affidavit

SELF-PROVING AFFIDAVIT

THE STATE OF OKLAHOMA)
COUNTY OF Osage) SS.

Before me, the undersigned authority, on this day personally appeared David Eric Smith, John Elliot Potter and Ann Paula Blom, known to me to be the Testator (called herein "the Testator") and the Witnesses respectively whose names are subscribed to the annexed or foregoing instrument in their respective capacities, and, all of said persons being by me first duly sworn, and the said Testator declared to me and to the said Witnesses in my presence that said instrument is the Testator's Will, and that the Testator had willingly made and executed it as free and voluntary act and deed for the purposes therein expressed; and the said Witnesses each on their oath stated to me in the presence and hearing of the Testator, that the Testator had declared to them that said instrument is the Testator's Will, and that the Testator executed the same as such and wanted each of them to sign it as a Witness; and upon their oaths each Witness stated further that they did sign the same as Witnesses in the presence of the Testator and each other and at the Testator's request and that the Testator was at that time 18 years of age or over and was of sound mind.

David Eric Smith

Testator (signature)

David Eric Smith, Booker Road., Lake City, OK 74050
Name and Residence (printed)

John Elliot Potter

Witness (signature)

John Elliot Potter, 2 Spruce St, Sherwood, OK 74050
Name and Residence (printed)

Ann Paula Blom

Witness (signature)

Ann Paula Blom, 70 Rocky Road, Little Rock, AR 70011
Name and Residence (printed)

NOTARY: Subscribed and acknowledged before me by David Eric Smith,
Testator, and subscribed and sworn before me by John Elliot Potter and
Ann Paula Blom, Witnesses, this 21st day of June, 2021.

(SEAL)

(SIGNED) Douglas N. Cook

