LAST WILL AND TESTAMENT
OF
NAME OF TESTATOR

I. INTRODUCTION

A nickname/alias is any name you usually go by other than your legal name. A maiden name is the name you may have had before getting married.

I, Testator’s Name, also known as Nickname, Alias, Maiden Name, etc., domiciled and residing in County of Residence County, Montana, declare this to be my Will, revoking all prior Wills and codicils.

II. FAMILY INFORMATION

I am married to Spouse’s Name. All references of "my spouse" are to him or her. I have Number of children children, namely, Names of children. All references to "my children" refer to the Number of children children named in this paragraph and any other children hereafter born to or adopted by me and my spouse.

III. DEBT CLAUSE

I direct that all of my legally enforceable debts, funeral expenses and expenses in connection with the administration of my estate be paid as soon as practicable after my death.

IV. PRE-RESIDUARY GIFTS

A. Tangible Personal Property List

If my spouse survives me, I give him or her all of my tangible personal property.

If my spouse fails to survive me, I might leave a written statement or list disposing of items of tangible personal property. If I do and if my written statement or list is found and identified by the personal representative no later than 30 days after my death, then the statement or list is to be given

Testator Initials

Witness Initials
effect to the extent authorized by law. Any tangible personal property not effectively disposed of by such a statement or list shall be distributed to my surviving children (and not to their descendants) as they may agree. If my surviving children fail to reach agreement within 90 days after the probate of this Will, such tangible personal property shall be divided among my surviving children as my personal representative determines appropriate, in shares of substantially equal value.

If you do not have a child or children, or do not want them to inherit, you change this section to fit your wishes.

If any child of mine is a minor at the time of such division, my personal representative may distribute the child's share to the child or for the child's use to the child's guardian or to any person with whom the child is residing, without further responsibility, and the distributee's receipt shall be a sufficient discharge to my personal representative.

If you have any specific items you want to put in your will, you can do that in this section or on your tangible personal property list.

V. RESIDUARY CLAUSE

If my spouse survives me, I give him or her the residue of my estate. If he or she fails to survive me, I give the residue of my estate to my descendants who survive me by representation.

VI. METHODS OF DISTRIBUTION TO CERTAIN BENEFICIARIES

If under this will any property is distributable to a minor or to a person under twenty-one (21) years of age, my personal representative, in my personal representative's absolute discretion, may distribute such property in any manner permitted by law and additionally in any one or more of the following ways:

(A) If the person is a minor, directly to the minor or on behalf of the minor for the minor's exclusive benefit;

(B) If the person is a minor, to a guardian or conservator for the minor; or

If you do not have a child or children, or do not want them to inherit, you change this section to fit your wishes.

V. RESIDUARY CLAUSE

If my spouse survives me, I give him or her the residue of my estate. If he or she fails to survive me, I give the residue of my estate to my descendants who survive me by representation.

VI. METHODS OF DISTRIBUTION TO CERTAIN BENEFICIARIES

If under this will any property is distributable to a minor or to a person under twenty-one (21) years of age, my personal representative, in my personal representative's absolute discretion, may distribute such property in any manner permitted by law and additionally in any one or more of the following ways:

(A) If the person is a minor, directly to the minor or on behalf of the minor for the minor's exclusive benefit;

(B) If the person is a minor, to a guardian or conservator for the minor; or
(C) If the person is under twenty-one (21) years of age, to any person (including my personal representative) selected as a custodian by my personal representative under the applicable Uniform Transfers to Minors Act of any State.

VII. APPOINTMENT OF PERSONAL REPRESENTATIVE

I appoint my spouse as personal representative of my estate. In the event my spouse shall die, be adjudicated incompetent, or resign, I hereby name as successor personal representative to fill such vacancy or any vacancy that may thereafter occur, the first in the order named who is then willing and able to serve:

(A) Alternate Personal Representative
(B) Alternate Personal Representative
(C) Alternate Personal Representative

You can delete any lines that you don’t need

VIII. POWERS OF PERSONAL REPRESENTATIVE

In addition to the powers given to my personal representative by law effective at death, my personal representative shall have all powers authorized by the Montana Uniform Probate Code, as that Code exists on the date of this Will.

IX. NOMINATION OF GUARDIAN

In the event of my death and any of my children are under age 18, then I nominate the following as Guardian(s) for such children:

Name of Nominee for Guardian
Nominee’s Address
Line 2: City and State
Nominee’s Phone Number

If you do not have minor children, you can delete this section.

If you have minor children, this Will may not be enough to meet your needs.

Name of Nominee for Guardian
Nominee’s Address
Line 2: City and State

Testator Initials

Witness Initials
X. MONTANA LAW

This instrument shall be construed under the laws of the State of Montana.

XI. REPRESENTATION

The persons who take under this will as "descendants by right of representation" shall take in accordance with the rules of §72-2-116 MCA as that section exists on this date of this Will.

XII. CAPTIONS

The captions set forth in this Will at the beginning of various provisions are for convenience of reference only, and shall not be deemed to define or limit the provisions of this Will, or to affect in any way its construction or application.

XIII. CONCLUSION AND ATTESTATION

I, Testator's name, the testator sign my name to this instrument this Day day of Month, Year and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Will and that I sign it willingly (or willingly direct another to sign for me), that I execute it as my free and voluntary act for the purposes therein expressed, that I am 18 years of age or older, of sound mind, and under no constraint or undue influence.

____________________________
Testator's Name

We, witnesses, sign our names to this instrument, consisting of Total Number of Pages pages, being first duly sworn, do hereby declare to the undersigned authority that the testator signs and executes this instrument as the testator's Last Will and that the testator signs it willingly (or willingly directs another to sign for the testator), that each of us, in the presence and

__________________________
Witness Initials

__________________________
Testator Initials
hearing of the testator, hereby signs the Will as a witness to the testator’s signing, and that to the best of our knowledge the testator is 18 years of age or older, of sound mind, and under no constraint or undue influence.

Witness 1: ___________________________    Witness 2: ___________________________
Residing at: ___________________________    Residing at: ___________________________

Witnesses cannot be people who would inherit under your will.

STATE OF MONTANA
County of _____________________________

Signed and sworn to before me by Testator’s name, the testator, this Day
day of _____________________________, Year.
(Notarial Seal)

______________________________    Notary Signature

Leave the date blank and let the notary fill it in for you

__________    Page5of5    _______    ________
Testator Initials    Witness Initials