

WELCOME TO TODAY'S VAP CLE SESSION

Simple Wills:

In-Depth Review & Step-by-Step Preparation

September 15, 2026

This presentation will be recorded and shared along with resource materials

- Please add your questions in the chat, and the presenter will address them throughout the session. There will also be dedicated Q&A segments for additional questions.
- To receive CLE credit, you must complete a post-session survey at the end.

Agenda



Introduction: Zac Addison, Director, NMLA Volunteer Attorney Program



Announcements: Marissa Gonzalez, Paralegal, NMLA Volunteer Attorney Program



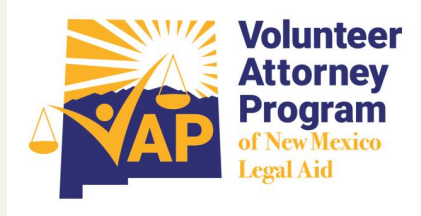
Presentation: Simple Wills CLE, Judge Cristy Carbón-Gaul



Case Studies & Q&A Segment: Judge Cristy Carbón-Gaul



Closing Remarks: NMLA Volunteer Attorney Program



Drafting Wills

THE WILL

- The will is the instrument that directs how your assets are to be distributed after your death.
 - Personal representatives
 - Testamentary Trust
 - Minor children
 - Blended families

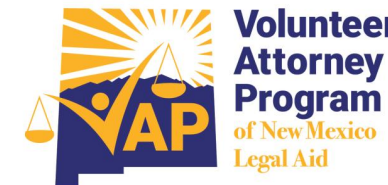
BENEFICIARIES

- **THIS IS A BIG ISSUE**

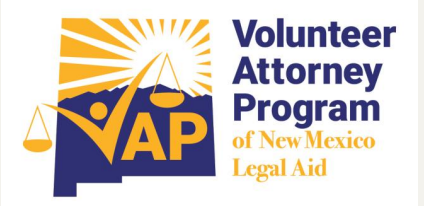
- Children
- Charities
- Other family members

Reference the Will Form

STATEMENT OF DISPOSITION OF TANGIBLE PERSONAL PROPERTY



- If you take the time to do it, put it in a safe place
- Sign and Date



Specific Bequests

Residual Provision

- Outright distributions
- Minors
- Spouse/Partner with capacity issues
- Adult children with need for protections

Contingent Beneficiaries

- Standard Language
- Options
 - Individuals
 - Charitable Organizations

Family Trust (testamentary trust)

- Spouse share (may want to consider a revocable trust)
- Minors- when to make final payout
- HEMS power
- Withdraw Provision
- Standards and Goals (including drug testing)

Personal Representative

- What is commonly called “executor”
- Individual versus Professional
- What is their role?

Guardian

- For minors or to replace a legally appointed guardian for an incapacitated adult
- Custodian may be different than guardian
- Considerations when two parents

Trustee

- For testamentary trust
- Professional versus Individual
- Successors

Compensation

- Reasonable is statutory
- Some people want to define this

Payments provision

- Post-Mortem provision

Environmental Matters

- Environmental liability

Management Provisions

- Statutory
- Different philosophies – include them written out or refer to the statute
- When and if to redact

BENEFICIARY DESIGNATIONS

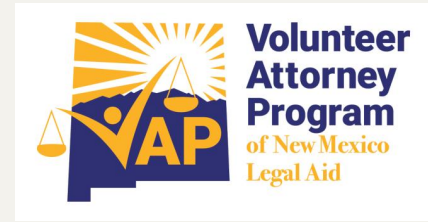
- Properly designating beneficiaries of Retirement Plans at death is an important part of the estate planning process
- For many, this is the largest asset
- Children as beneficiaries
- IRAs, Life Insurance, etc.

POD/TOD

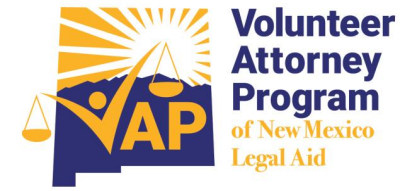
- Coordinate with estate plan
- Liquidity for estate
- Naming one child to collect assets for all

DISABLED CHILD

Supplemental Needs Trust



Questions?



CASE ANALYSIS & Q&A

Case Study #1

- John Jones has two children and one step-child. One of his children is a minor. He has a house, with a mortgage. He has a bank account, an IRA, and a life insurance policy.

Case Study #2

- Susan Miller has one child who has Downs Syndrome. She provides \$300 a month to her mother's long-term care, along with her other siblings.

PLEASE MONITOR YOUR EMAIL THROUGHOUT THE YEAR FOR OPPORTUNITIES TO ASSIST ESTATE PLANNING CLIENTS IN NEED.

Your pro bono pledge will help low-income New Mexicans plan for the future with dignity, clarity, and peace of mind.

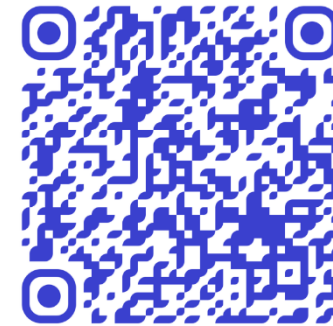


Additional Volunteer Opportunities

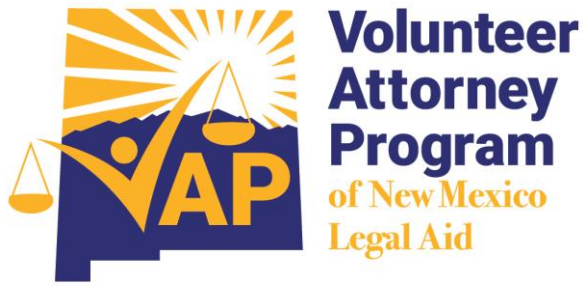
Upcoming Events:

In-Person Consultations:

- September 17, 2026 – Las Vegas Legal Fair
- September 18, 2026 – Taos Legal Fair
- September 26, 2026 – Ruidoso Legal Fair
- October 9, 2026 – Albuquerque Law-La-Palooza Legal Fair
- October 23, 2026 – Rio Rancho Legal Fair



Email Bella Zayani, VAP's Statewide Pro Bono Coordinator, at BellaZ@nmlegalaid.org for additional information or scan the QR code to express interest in volunteering at upcoming events!



THANK YOU FOR JOINING US!

To Receive CLE Credit:

Submit your post-session survey within 24 hours.



Credits are typically filed within 30 days.

To complete the survey, click the link in the chat or scan the QR code:



Zac Addison, Director

NMLA Volunteer Attorney Program

zaca@nmlegalaid.org

Marissa Gonzalez, Paralegal

NMLA Volunteer Attorney Program

vapecho@nmlegalaid.org

Bella Zayani, Pro Bono Coordinator

NMLA Volunteer Attorney Program

bellaz@nmlegalaid.org