

PROVISIONS FOR LAST WILL AND TESTAMENT

[Note to User: This Will provision should be used in conjunction with agreement for attorney at large regarding law practice.]

These sample document forms were first created by Frank O. Brown, Esquire, and we applaud his service and insight about the needs of Virginia lawyers. Now revised and updated with thanks to Carole H. Capsalis, Esquire, the Senior Lawyers Section is pleased to make them available for Virginia attorneys to create documents that meet your needs and protect your clients, employees, practice and estate.

All documents and forms should be reviewed and updated from time to time. If you notice omissions or errors in these sample forms, please contact the Senior Lawyers Section of the Virginia State Bar at seniorlawyers@vsb.org.

THIS MATERIAL IS PRESENTED WITH THE UNDERSTANDING THAT THE PUBLISHER AND AUTHOR ARE NOT RENDERING ANY LEGAL, ACCOUNTING OR OTHER PROFESSIONAL ADVICE TO ANY PARTICULAR PERSON. ANY SUCH ADVICE WOULD REQUIRE KNOWLEDGE OF ALL RELEVANT FACTS AND APPLICATION OF THE LAW TO SUCH FACTS, WHICH IS NOT THE INTENT OF THESE SEMINAR MATERIALS. MOREOVER, DUE TO THE RAPIDLY CHANGING NATURE OF THE LAW, INFORMATION CONTAINED IN THIS DOCUMENT MAY BECOME OUTDATED. AS A RESULT, ANYONE USING THIS MATERIAL SHOULD SEEK THEIR OWN LEGAL COUNSEL AND MUST ALWAYS RESEARCH ORIGINAL SOURCES OF AUTHORITY AND UPDATE INFORMATION TO ENSURE ACCURACY WHEN DEALING WITH A SPECIFIC LEGAL MATTER. IN NO EVENT WILL THE AUTHOR OR PUBLISHER BE LIABLE FOR ANY DIRECT, INDIRECT, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OF THIS MATERIAL.

PROVISIONS FOR LAST WILL AND TESTAMENT

[Note to User: This will provision should be used in conjunction with agreement for attorney at large regarding law practice.]

[EXTRACT]

ARTICLE ____ APPOINTMENT OF EXECUTOR

I nominate and appoint my spouse, MARY DOE, of Henrico County, Virginia, and my attorney, THOMAS R. JONES, of Richmond, Virginia, as Executors of this my Last Will and Testament. I waive security on the bond of my Executors. My Executors shall be entitled to reasonable compensation for their services at the time that their services are rendered.

I confer upon my Executors those powers contained in Virginia Code Section 64.2-105 as in effect on the date of execution of this Last Will and Testament, which code section is

incorporated herein in its entirety by this reference. Because of the fact that orderly planning for dealing with my law practice is of great importance to me and to my clients, I have entered into an Agreement, dated _____, 2025 regarding my law practice, in which Agreement I am referred to as First Party, and in which Agreement THOMAS R. JONES is referred to as Second Party. I hereby incorporate said Agreement in its entirety into this Last Will and Testament, and I confer upon THOMAS R. JONES as Executor those powers conferred upon Second Party in said Agreement, it being my intention that in my so doing, the terms and conditions of said Agreement will survive my death. In the event that THOMAS R. JONES should predecease me, be unable or unwilling to serve as Executor, or should begin serving and not complete the service, I nominate and appoint THOMAS R. JONES, JR., attorney at law, in his place and stead, and I confer the foregoing powers upon him, including the powers under the referenced Agreement.