



Drafting a “codicil” can be an important, effective, and easy-to-use tool if you already have a will and are considering a planned gift to Hill. (It also costs less than working directly with a lawyer.)

A codicil is a document that is drafted to amend your will without re-writing the entire document. It is the perfect choice if you have a few small changes to make, such as adding a beneficiary (which can be Hill School). You simply identify the section of your will you wish to change and write the revision in a new document that is then attached to the existing will.

How Should a Codicil be Structured?

- It must clearly state that it is a codicil to your will.
- It must include identifying information, including your full name and address, the date it was written, and a statement that you’re of sound mind and not under pressure from someone to make the changes.
- It must explain which parts of the will are being altered by the codicil, include people’s full legal names, describe in detail the assets it refers to, and specify dollar amounts or percentages.
- It must include a statement that it overrides what was detailed in the original will, as well as a statement explaining that anything else in the will is not affected by the codicil and remains valid.
- Finally, the codicil, to be valid, must be signed in the presence of at least two witnesses who are not listed as beneficiaries, guardians, or executors in the will. While Louisiana is the only state that requires a codicil to be notarized, it is recommended that a notary be present. The original can then be kept with your other valuable papers and copies should be provided to your lawyer and Hill School.

How to Proceed

If you have an attorney: Use the sample form on the next page as a guide to provide your attorney with correct information, simplifying the process.

If you do not have an attorney: Start the process by locating your original will, which will provide necessary information, including the date your will was executed. Your original will should also indicate the proper procedure for signing and witnessing a codicil, as wills and codicils are generally handled in the same manner.

If you do not have a will: The following sample codicil is not a will – it is an addition to a will. You can use the language to include a gift to Hill School when you do create a will.



A codicil makes updating or changing your will fast and easy, especially if you are considering Hill School to be the beneficiary of a new gift while still reaffirming the other terms of your will.

Below is a sample codicil, intended only as a guide. It is highly recommended that you consult your legal counsel when preparing a codicil.

Sample Codicil

I (NAME), A RESIDENT OF THE County of (county), State of (state), declare that this is a codicil to my last will and testament, which is dated (date your original will was signed).

Whereas, I now desire to make certain changes in my last will and testament:

Now therefore, I do hereby make, publish and declare this as a (first) codicil to my said last will and testament to be annexed to and taken and allowed as part thereof:

I hereby amend my last will by adding thereto a new Section (and overwriting Section #), which reads as follows:

I give, devise, and bequeath the sum of \$ _____ (or all or a percentage of my gross estate or a description of a specific asset) to The Hill School (Tax ID# 54-1938041), located at 130 South Madison Street, Middleburg, VA 20117, for its charitable uses and purposes.

In all other respects I ratify and confirm all of the provisions of my said last Will and Testament dated on the _____ day of _____, 20__.

IN WITNESS WHEREOF, I sign, publish and declare this instrument to be a Codicil to my last Will and Testament in the presence of both persons witnessing said Codicil at my request this _____ day of _____, 20__.

_____ residing at _____
 (Name) (Address)

Witnesses

_____ residing at _____
 (Name) (Address)

_____ residing at _____
 (Name) (Address)



Other Types of Bequests

- *Specific (restricted) Bequests are made when a particular item or property is bequeathed for a designated purpose. (e.g., instruments bequeathed to the local school district for use in music education; dollar funds to be used in the operation of a school or church, etc.)*

Specific bequest language:

"I give, devise, and bequeath to The Hill School (Tax ID# 54-1938041), located at 130 South Madison Street, Middleburg, VA 20117 the sum of \$_____ (or a description of a specific asset), to be used for the following purpose: (state the designated purpose). If at any time in the judgment of the trustees of The Hill School it is impossible or impracticable to carry out exactly the designated purpose, they shall determine an alternative purpose closest to the designated purpose."

- *Residuary Bequests are made when the donor intends to leave the **residue** portion of their assets after other terms of the will have been satisfied.*

Residuary Bequest language:

"All the rest, residue, and remainder of my estate, both real and personal, I give to The Hill School (Tax ID# 54-1938041), located at 130 South Madison Street, Middleburg, VA 20117 for its general purposes."

- *Contingency Bequests allow the donor to leave a portion of their estate to a particular charity if their named beneficiary does not survive them.*

Contingency bequest language:

"I give, devise and bequeath the residue of the property, real and personal and wherever situated, owned by me at my death, to (name of beneficiary), if (she/he) survives me. If (name of beneficiary) does not survive me, I give, devise, and bequeath my residuary estate to The Hill School (Tax ID# 54-1938041), located at 130 South Madison Street, Middleburg, VA 20117 for its general purposes."