

WILLS BAR PRACTICE EXAM (SAMPLE)

STUDY GUIDE



SAMPLE STUDY GUIDE WITH LIMITED QUESTIONS

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Introduction

Preparing for a certification exam can feel overwhelming, but with the right tools, it becomes an opportunity to build confidence, sharpen your skills, and move one step closer to your goals. At Examzify, we believe that effective exam preparation isn't just about memorization, it's about understanding the material, identifying knowledge gaps, and building the test-taking strategies that lead to success.

This guide was designed to help you do exactly that.

Whether you're preparing for a licensing exam, professional certification, or entry-level qualification, this book offers structured practice to reinforce key concepts. You'll find a wide range of multiple-choice questions, each followed by clear explanations to help you understand not just the right answer, but why it's correct.

The content in this guide is based on real-world exam objectives and aligned with the types of questions and topics commonly found on official tests. It's ideal for learners who want to:

- Practice answering questions under realistic conditions,
- Improve accuracy and speed,
- Review explanations to strengthen weak areas, and
- Approach the exam with greater confidence.

We recommend using this book not as a stand-alone study tool, but alongside other resources like flashcards, textbooks, or hands-on training. For best results, we recommend working through each question, reflecting on the explanation provided, and revisiting the topics that challenge you most.

Remember: successful test preparation isn't about getting every question right the first time, it's about learning from your mistakes and improving over time. Stay focused, trust the process, and know that every page you turn brings you closer to success.

Let's begin.

How to Use This Guide

This guide is designed to help you study more effectively and approach your exam with confidence. Whether you're reviewing for the first time or doing a final refresh, here's how to get the most out of your Examzify study guide:

1. Start with a Diagnostic Review

Skim through the questions to get a sense of what you know and what you need to focus on. Your goal is to identify knowledge gaps early.

2. Study in Short, Focused Sessions

Break your study time into manageable blocks (e.g. 30 – 45 minutes). Review a handful of questions, reflect on the explanations.

3. Learn from the Explanations

After answering a question, always read the explanation, even if you got it right. It reinforces key points, corrects misunderstandings, and teaches subtle distinctions between similar answers.

4. Track Your Progress

Use bookmarks or notes (if reading digitally) to mark difficult questions. Revisit these regularly and track improvements over time.

5. Simulate the Real Exam

Once you're comfortable, try taking a full set of questions without pausing. Set a timer and simulate test-day conditions to build confidence and time management skills.

6. Repeat and Review

Don't just study once, repetition builds retention. Re-attempt questions after a few days and revisit explanations to reinforce learning. Pair this guide with other Examzify tools like flashcards, and digital practice tests to strengthen your preparation across formats.

There's no single right way to study, but consistent, thoughtful effort always wins. Use this guide flexibly, adapt the tips above to fit your pace and learning style. You've got this!

Questions

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- 1. What is an advancement in the context of intestate succession?**
 - A. A charitable donation made by the deceased
 - B. A lifetime gift intended against an heir's share
 - C. A gift that is automatically considered an inheritance
 - D. A form of property transfer without intent
- 2. In the classic per stirpes method of distribution, how are shares created?**
 - A. One share per child and one for deceased children with descendants
 - B. Equal shares divided among living descendants
 - C. Only shares for surviving grandchildren
 - D. Shares are pooled and divided equally among all heirs
- 3. What is an "executor's commission"?**
 - A. A compensation paid to the executor for their services
 - B. A tax deduction for executors
 - C. A legal requirement for will execution
 - D. A financial penalty for mismanagement of the estate
- 4. What do jurisdictions that distinguish between half-bloods and whole-bloods typically do?**
 - A. Half-bloods receive nothing
 - B. Half-bloods receive half shares
 - C. Half-bloods receive full shares as whole-bloods
 - D. Half-bloods inherit first over whole-bloods
- 5. What is the inheritance situation for nonmarital children from their father?**
 - A. They inherit automatically from both parents
 - B. They only inherit from the mother
 - C. They can inherit from the father if legally married after birth
 - D. They inherit nothing from biological parents
- 6. What is the purpose of the Uniform Probate Code (UPC)?**
 - A. To create a single will format for all states
 - B. To standardize probate procedures in some states
 - C. To establish tax guidelines for estates
 - D. To regulate the appointment of executors only

- 7. Who are typically the primary beneficiaries in a will?**
- A. Charities
 - B. Friends and Colleagues
 - C. Family members, such as children or spouses
 - D. Business Partners
- 8. What is the term used for a clause in a will that outlines the mental capacity of the testator?**
- A. Capacity Clause
 - B. Competency Statement
 - C. Deceased's Capacity Clause
 - D. Testamentary Capacity Clause
- 9. Which statement is true regarding a disinheritance clause according to the common law?**
- A. It effectively disinherits any heir
 - B. It's ineffective for property passing by intestacy
 - C. Only works for biological children
 - D. It is enforceable in all states
- 10. In estate planning, what is the significance of the "right of election"?**
- A. It allows a surviving spouse to claim a certain percentage of the estate, regardless of the provisions of the will
 - B. It enables any beneficiary to contest the will's validity
 - C. It grants the executor the power to make changes to the will
 - D. It restricts a spouse from claiming any share of the estate

Answers

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1. B
2. A
3. A
4. B
5. B
6. B
7. C
8. C
9. B
10. A

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Explanations

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1. What is an advancement in the context of intestate succession?

- A. A charitable donation made by the deceased
- B. A lifetime gift intended against an heir's share**
- C. A gift that is automatically considered an inheritance
- D. A form of property transfer without intent

An advancement in the context of intestate succession refers to a lifetime gift that a decedent gives to an heir with the intention that it will count against the heir's share of the estate. This means that if a parent, for example, gives their child a significant gift during their lifetime, that gift is treated as an advance payment or portion of the inheritance the child would receive from the estate upon the parent's death. This concept ensures that the distribution of an estate reflects the decedent's intention to treat heirs fairly, taking into account any gifts already provided during their lifetime. When calculating an heir's share, the value of any advancement is subtracted from what they would inherit, promoting a balance among siblings or other heirs. Using this understanding, the other options do not align with the legal definition of an advancement. Charitable donations made by the deceased do not count against the shares of heirs and are unrelated to the concept of distributions among heirs. A gift that is considered an inheritance is not an advancement since it doesn't carry the implication of adjusting an heir's future share. Lastly, a transfer without intent does not fulfill the requirement that the decedent intended for a gift to reduce an heir's inheritance, which is fundamental to the concept of advancements.

2. In the classic per stirpes method of distribution, how are shares created?

- A. One share per child and one for deceased children with descendants**
- B. Equal shares divided among living descendants
- C. Only shares for surviving grandchildren
- D. Shares are pooled and divided equally among all heirs

In the classic per stirpes method of distribution, the principle is that the estate is divided into branches based on the lineage of the decedent. This method creates a share for each surviving child of the decedent, and for any deceased children, a share is allocated to their descendants. For instance, if there are three children and one of them has passed away but has children (the decedent's grandchildren), the deceased child's share would be divided among those grandchildren. Therefore, the surviving children each receive one share, and the deceased child's share is effectively passed down to their descendants. This structure ensures that the distribution maintains a connection to the family lineage and that each branch of the family receives a portion of the estate. This method is particularly effective because it clearly addresses the scenario of deceased descendants while ensuring that their descendants benefit from their parent's share. As a result, distribution under the classic per stirpes approach emphasizes familial lines and ensures equal representation among descendants.

3. What is an "executor's commission"?

- A. A compensation paid to the executor for their services**
- B. A tax deduction for executors
- C. A legal requirement for will execution
- D. A financial penalty for mismanagement of the estate

An executor's commission refers to the compensation paid to an executor for the services they provide in administering a deceased person's estate. This commission is intended to recognize the time, effort, and expertise required to properly execute the duties of an executor, which can include managing estate assets, settling debts, and distributing property to beneficiaries. The commission may be set by state law or specified in the will itself. This payment is important because it ensures that individuals who take on the responsible role of executing a will are compensated for their work, as serving as an executor can involve significant responsibility and a considerable investment of time. Understanding the concept of an executor's commission is essential for those involved in estate planning and administration, as it underscores the financial aspects of managing a deceased person's estate.

4. What do jurisdictions that distinguish between half-bloods and whole-bloods typically do?

- A. Half-bloods receive nothing
- B. Half-bloods receive half shares**
- C. Half-bloods receive full shares as whole-bloods
- D. Half-bloods inherit first over whole-bloods

In jurisdictions that make a distinction between half-bloods and whole-bloods, half-bloods typically receive half shares of the inheritance compared to whole-bloods. This principle reflects the traditional approach to descent and distribution in intestate succession laws, where the relationship to the decedent affects the inheritance rights. As a result, half-blood relatives, who share only one parent with the decedent, are allocated a lesser share than whole-blood relatives, who share both parents. This practice recognizes the degree of kinship and can impact how estates are distributed among heirs, specifically underscoring the distinction in blood relations.

5. What is the inheritance situation for nonmarital children from their father?

- A. They inherit automatically from both parents
- B. They only inherit from the mother**
- C. They can inherit from the father if legally married after birth
- D. They inherit nothing from biological parents

In the context of inheritance rights for nonmarital children, they typically have the ability to inherit from their mothers automatically, as a maternal connection is established at birth irrespective of marital status. This means that nonmarital children are considered legal heirs of their mothers and are entitled to inherit everything that their mothers have to pass on. Regarding inheritance from their fathers, different jurisdictions may have specific laws that determine how nonmarital children can inherit. Many statutes require that for a nonmarital child to inherit from a father, there needs to be a formal acknowledgment of paternity or a legal action to establish paternity. Consequently, this often results in nonmarital children not inheriting from their biological fathers unless specific legal steps are taken, such as the father recognizing their status after the child's birth or through a paternity claim. This complexity leads to the correct understanding of the inheritance rights of nonmarital children. Since they inherit from their mothers without any additional legal proceedings, the answer that states they only inherit from the mother accurately captures this standard legal principle, while also indicating that their ability to inherit from their fathers is generally contingent upon additional legal recognition which is not guaranteed.

6. What is the purpose of the Uniform Probate Code (UPC)?

- A. To create a single will format for all states
- B. To standardize probate procedures in some states**
- C. To establish tax guidelines for estates
- D. To regulate the appointment of executors only

The purpose of the Uniform Probate Code (UPC) is primarily to standardize probate procedures in some states. The UPC was developed to simplify and streamline the probate process, making it easier for individuals and families to handle estate matters after a person's death. By adopting the UPC, states can ensure that their probate laws are consistent with one another, thereby reducing confusion and improving efficiencies in administering estates. The UPC covers various aspects of probate law, including the administration of estates, the rights of heirs, and the process for handling wills, making it a comprehensive framework aimed at providing clear guidelines for probate proceedings. By doing so, it helps to address potential legal issues and disputes that can arise during the probate process, ultimately facilitating smoother transfers of property and assets. While the UPC does not create a single will format for all states, establish tax guidelines for estates, or exclusively regulate the appointment of executors, it broadly influences the overall probate landscape, promoting uniformity and clarity in estate administration.

7. Who are typically the primary beneficiaries in a will?

- A. Charities
- B. Friends and Colleagues
- C. Family members, such as children or spouses**
- D. Business Partners

The primary beneficiaries in a will are typically family members, such as children or spouses. This reflects the common intent of individuals when making a will, as they often prioritize their immediate family to inherit their assets. Laws in many jurisdictions support this, as they recognize family as the natural recipients of one's estate, aiming to provide for loved ones and maintain familial support. In contrast, other groups such as charities, friends, and business partners may receive bequests, but they are usually not considered primary beneficiaries unless specifically named in the will's provisions as such by the testator. The majority of individuals focus on providing for their closest relatives, which underscores the significance of familial ties in estate planning.

8. What is the term used for a clause in a will that outlines the mental capacity of the testator?

- A. Capacity Clause
- B. Competency Statement
- C. Deceased's Capacity Clause**
- D. Testamentary Capacity Clause

The appropriate term for a clause in a will that outlines the mental capacity of the testator is "Testamentary Capacity Clause." This clause is crucial because it helps establish the testator's legal ability to make a will. Testamentary capacity refers to the mental ability of a person to understand the nature of their actions and the consequences of making a will. This clause may specify that the testator was of sound mind and capable of making the choices reflected in the will at the time it was executed. Understanding this term is important in wills and estates law, as if there are questions regarding the testator's mental competence at the time of will creation, this clause can serve as evidence in legal discussions or disputes surrounding the validity of the will. The other terms provided do not accurately reflect standard legal terminology. Capacity Clause or Competency Statement might suggest similar concepts but lack the specificity needed in testamentary matters. Deceased's Capacity Clause also does not conform to established legal phrases used in discussing a testator's ability. Therefore, Testamentary Capacity Clause is the most recognized and precise term used in testamentary law.

9. Which statement is true regarding a disinheritance clause according to the common law?

- A. It effectively disinherits any heir
- B. It's ineffective for property passing by intestacy**
- C. Only works for biological children
- D. It is enforceable in all states

The correct answer highlights the nuances of how a disinheritance clause functions under common law principles, especially concerning intestate succession. When a person dies intestate, the distribution of their estate is governed by the state's intestacy laws, which dictate how property will be allocated among heirs. A disinheritance clause specifically aims to exclude certain individuals from receiving benefits under a will. However, this clause does not apply to property that passes by intestacy, since the law, rather than the individual's wishes expressed in the will, determines the distribution of such property. In practical terms, even if a will explicitly states that a particular heir or potential heir is disinherited, this does not affect their legal right to inherit under intestacy laws, which might favor them depending on their relationship to the decedent. Therefore, the presence of a disinheritance clause does not invalidate the rights of heirs under intestacy statutes. The other choices do not accurately describe the nature of disinheritance clauses. They either misstate the breadth of their application, such as suggesting they apply indiscriminately to all heirs, are limited only to biological children, or incorrectly assert that they are enforceable in every jurisdiction without regard for state-specific laws governing wills and inheritance.

10. In estate planning, what is the significance of the "right of election"?

- A. It allows a surviving spouse to claim a certain percentage of the estate, regardless of the provisions of the will**
- B. It enables any beneficiary to contest the will's validity
- C. It grants the executor the power to make changes to the will
- D. It restricts a spouse from claiming any share of the estate

The significance of the "right of election" primarily revolves around its role in protecting a surviving spouse's financial interests in the face of potentially unfavorable provisions outlined in a deceased spouse's will. Specifically, this right allows the surviving spouse to elect to receive a statutorily defined share of the estate, which is typically a certain percentage, regardless of the will's terms. This mechanism serves to ensure that the surviving spouse is not completely disinherited and has a minimum guaranteed inheritance. This right is particularly relevant in contexts where the decedent may have sought to leave the surviving spouse a smaller portion than what is legally mandated by state law. The ability to claim this share ensures that the surviving spouse retains some economic security after the death of their partner. The other options do not accurately represent the function of the right of election. Contesting a will's validity or altering its terms is not the focus of this right, nor does it impose restrictions on a spouse claiming an estate share. The right of election serves as a protective measure, empowering the surviving spouse rather than limiting their rights.

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Next Steps

Congratulations on reaching the final section of this guide. You've taken a meaningful step toward passing your certification exam and advancing your career.

As you continue preparing, remember that consistent practice, review, and self-reflection are key to success. Make time to revisit difficult topics, simulate exam conditions, and track your progress along the way.

If you need help, have suggestions, or want to share feedback, we'd love to hear from you. Reach out to our team at hello@examzify.com.

Or visit your dedicated course page for more study tools and resources:

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We wish you the very best on your exam journey. You've got this!

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