

9 Essential Questions About Your Will

The answers make a big difference in the lives of those you love.



9 questions you might be asking about writing a will

About half of Americans fail to put a will in place. So don't worry if you don't have one yet. You're not the only one. The fact that you're reading this and *thinking* about writing a will puts you ahead of the curve. But don't stop there! If any of these questions sound familiar to you, read on. The information that follows can help you avoid some common mistakes with serious consequences.

1. Only wealthy people need a will, right?

You've worked hard to achieve what you have, whether it's a little or a lot or somewhere in between. You deserve the right to say what happens to it. A will gives you the control you deserve, avoids delays and expenses that reduce the size of your estate, and saves your loved ones hassle and headache down the road.

2. I don't have dependents so what's the point of a will?

Even if you don't have children, a will is a must if you want to have a say about which people and organizations receive the assets you own. A will reduces delays, reduces probate costs (the legal process of proving a will is authentic) and other expenses, and can minimize estate taxes.

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3. Can't I just let the state take care of it? Yes, that's what will happen if you pass away without a legal will. But then you have no way of ensuring your assets will be distributed the way you'd like. You'll be giving the state where you live the right to decide who will receive your money and possessions, and since laws can't provide for every possibility, your assets will be distributed through a one-size-fits-all plan. Usually children receive equal amounts, and there are no provisions for special gifts for friends or favorite charities. Preparing a proper will is the only way to ensure that your loved ones are taken care of and that your favorite charities are remembered as you wish.



- 4. My property is held jointly with my heirs, and they have rights of survivorship. Do I still need a will?** There are advantages to joint ownership, but it does not replace the need for a will. It can even create unintended gift tax liability.
- 5. Can I write my will by hand?** A handwritten will is not legal in every state. Even if you happen to live in a state where it is legal, a will is one of the least expensive legal documents. Most people find the attorney's fee (usually only a few hundred dollars) well worth the peace of mind that comes with knowing your wishes are clearly stated in a valid legal document.
- 6. Does a will override other arrangements I've made for beneficiary designations?** When you set up savings accounts, annuities, life insurance policies or retirement accounts, you may have named beneficiaries as part of the process. These named beneficiaries will take legal precedence over any instructions in your will about distributing those assets. So when you write your will, be sure to review all your bank accounts, life insurance policies and retirement accounts so you can be sure your assets will go to benefit the people and/or organizations you want.
- 7. I'm too young to need a will. Can't I worry about this when I'm older?** Don't fall into this trap. Actually, when you're young may be when you need a will most. A properly drafted will is your way to provide detailed instructions for the care of young children if something should happen to you. A will provides you the foundation you need to build a strong financial future.

8. Can't I just leave everything to my spouse?

This seems like an obvious choice for many people, but there are a few issues to consider:

- If an accident claims you and your spouse at the same time, the state may be in control of distributing your assets.
- If your spouse is not the parent of your children, even if you both agree on what to do with your property upon your death, there's always the possibility that unintended beneficiaries may receive your property. It happens all the time.
- Your spouse may not feel the same way you do about a particular heir or charity. This might mean that gifts you would have liked to see made will go unfulfilled.

9. Once I'm done, that's it, right? Not exactly.

Because as life changes, so should your will. Children grow up, or marry, or go to college. Family members divorce. Friends become estranged. Tax laws change. Beneficiaries or executors may pass away before you do. Estate values grow or shrink. Your charitable wishes may change when you form connections to new causes. Throughout the normal course of life, changes take place that may affect your will. So review your plans every five years or so to ensure that your estate plan continues to match your current circumstances.



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