

Wills & living wills

March 21 2018, by Julie Davis, Healthday Reporter



(HealthDay)—No one likes to think about end-of-life issues, but it's important for every adult to have a will, no matter their age.

Writing out a will is the first step in what's called estate planning—how you want your property distributed after you die. If you don't have a will, your estate will go into probate, with the court deciding who gets your assets and even personal belongings.

Here are some general rules for writing a will:

- In most U.S. states, you must be 18 or older.
- A will must be written in sound judgment and [mental capacity](#) to be valid.
- The document must clearly state that it is your will.
- You must name an executor, the person who will see to it that your estate is distributed according to your wishes.
- To be valid, you must sign the will in the presence of at least two witnesses.
- It's not necessary, but notarizing or recording your will can safeguard against any claims that it's invalid.

You can write a will yourself if you follow key rules, but you may want to get [legal advice](#) in case there are state laws that conflict with your wishes. Having a lawyer may give you more peace of mind, especially when you have children and must name guardians who will raise them. A lawyer will also let you know if you and your spouse should have separate wills.

Review your will from time to time and consider making changes if:

- The value of your assets changes.
- You marry, divorce, remarry or have a(nother) child.
- You move to a different state.
- Your executor dies or becomes incapacitated, or your relationship changes.

- One of your heirs dies.
- The laws affecting your estate change.

Other important documents are called [advance directives](#). These include a living will with instructions on what [medical care](#) you do or don't want in the event you're unable to speak for yourself.

If you have a social media presence, you might also write out a statement of how you would like your online identity handled after your death and appoint an online executor who will close your email and social media accounts.

More information: The Family Legal Issues section of USA.gov details what's in [a will](#) as well as a power of attorney.

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