

Various Types of Wills

Wills are legal documents that a person uses to declare how he or she wishes his property to be disposed of when he or she dies. In most cases wills are written out, signed and attested to, or more commonly known as witnessed to. In the past, the law stated that wills could only dispose of real property, or land, and a testament disposed of personal property. Today, wills are referred to as the last will and testament and it deals with both real and personal property.

There are various types of wills that people could have. One such will is a joint will. More than one person with each testator executes this will, as the person who makes a will is called, leaving his property to the survivor or to other persons. The second type of will is a mutual will. Mutual wills the testators agree that each shall be the beneficiary under the other's will.

Execution Of Wills

It is recommended that people have lawyers draw up your will. If a person wishes to draw up the will him or herself they can do so but it is likely that they will overlook something. If something is overlooked then the execution of the will might be difficult. The will itself may be invalid.

When the will is written up there must be someone there to witness or attest to the will. The witness must sign in the presence of the person writing the will and all other witnesses. Once wills have been signed and witnessed they cannot be changed without having the witnesses present.

Probate

When a person dies there are several things that must happen before a will can go into effect. The will itself must be probated. What this means is that it must be proven to be that last will and testament of the deceased. The executor of the will carries out the last wishes of the deceased. This may need to be done in court or it may not. Anyone may contest a will and in order to do this they must appear in court.

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About the Author

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