Should You Prepare Your Own Will?

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Earl wants to **control the distribution of his estate** when he dies and feels that a Will is a good idea. He had heard the ads on radio and TV about do-it-yourself Wills and bought a National Legal Will Kit.

The booklet he received a few weeks later contained lots of useful information. There was a Glossary of Legal Terms that helped Earl understand the language of Wills and estates. It contained a Checklist for Your Estate Trustee which lists those things that will need to be done with his estate when he dies. He will have to remember to give a copy of this list to his Trustee. There were sections to record Your Personal History, Assets & Liabilities and [People] to be Notified . . . of [his] Passing.

The main part of the booklet described the **Legal Requirements of a Will** and provided Instructions for Writing Your Will. The information was easy to read and seemed to be in a logical order. But, it was also very brief and left Earl to be, truly, the author of his own Will.

The fill-in-the-blanks Will in the middle of the booklet was only two pages long and did not have enough room to list everything that Earl wanted included in some sections. Other sections he thought were too long for his needs. He was disturbed by the paragraph that stated he should not try to revise [his] Will by crossing something out or by writing revisions on it. It went on to state that if he makes a mistake or needs to make revisions, he has to buy another Will kit. The kit he received expressly forbids him from making any copies.

The instructions **failed to give Earl enough guidance on how to handle any business interests he might have,** children from a previous relationship or how to provide for special needs beneficiaries. The kit was vague on how to word a beneficiary designation or how long a beneficiary needs to survive before receiving their share.

What bothered Earl most, though, was the **Limitation of Liability** at the front of the booklet. It stated, in part, that none of the author, publisher, or other marketing and distributing agents are able to warrant the validity of a Will made by you using this kit. **He wants to be sure that his Will is prepared properly.**

It is quite normal to want to save money on any purchase, legal fees included. However, a Will is a very important document that must be written properly. After all, it can't be corrected after you die. Most estates are not as simple as The National Will Kit may lead you to believe. **A poorly written Will can cause more problems than no Will at all. A judge can even declare it invalid.** And there is no legal recourse if you prepare it yourself.

Earl decided to use the booklet only as a guide to prepare for instructing his lawyer. After all, the kit even states he should seek appropriate legal, financial, or other expert advice or assistance as may be required.

**Fictional characters for illustrative purposes only.*

Want help with your estate plans?

Contact our office! **[1]**

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