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## Wills - The Importance Of Writing A Will

By Anastasia Phocas

A successful business man who was meticulous in keeping his paper work up to date all of his life

died without writing a will. Even though he was nagged by his accountant and solicitor to write one, he avoided writing a will. Not wanting to face the reality of being a mortal, he avoided facing the issue of death which always crops up whenever he thought of writing a will.

The successful business man, by not writing a will has subjected his surviving family to a complicated tangle of legal administration which is unfair and hurtful. The lack of a will has increased the cost and payment of taxes.

Let us look into a positive aspect of the life. A couple return from the hospital carrying their beautiful new born baby. They plan to spend the first days at home quietly marveling the baby. But as the times flies, the days blurred into nights in a pattern of naps and midnight feeding. Reading about the fatal accidents, the parents decide to write a will realizing how important it is to take precautions for the children's future care in case of any such untoward accidents.

Avoiding family disputes, revealing important information, minimizing possible legal issues, and minimizing taxes are some of the issues emphasizing the importance of writing a will.

Being a legally binding document, a will can prevent gold digging relatives not liked by yourself to lay claims on things which you would like to bequest to relatives preferred by you.

Beneficiaries should get specific instruction in the will, revealing and allocating sensitive information pertaining to offshore bank accounts and passwords to business accounts.

In the absence of a will with suitable instructions about property and assets, provincial law will determine what happens to your assets regardless of your wishes. This process is called intestate succession. The property will be distributed to the spouse and children. If the spouse is not alive and if there are no children then other relatives will receive the property/assets according the laws of the state or province.

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Death and taxes cannot be avoided in life. A will can minimize the tax liability. Depending upon the size of the estate, central and state authorities claim their share by way of taxes. A will with clear instructions about donations to charities or gifts to loved one can avoid paying such taxes. To get most out of the assets contact a lawyer or accountant for help.

Find more info at

<http://www.onlinelawyerresource.info>

Anastasia Phocas is a proud contributing author. Find more articles at

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### **Top 10 Reasons Why It Is Not Wise To Write Your Own Will**

#### **By News Canada**

(NC)–Although some provinces accept a handwritten, self–made will (called a "Holograph" will), it is risky to do it yourself. The cost of having a will prepared professionally by a lawyer or notary is far less than people imagine.

Here are just some of the common mistakes which can be made when individuals handwrite their own wills:

Any wills written previously are not formally revoked.

There is often no alternate Executor named.

Frequently a family member or friend is given a bequest, but then there is no consideration for what happens to this gift if the person predeceases the author of the will.

Most people who write their own wills do not make sufficient provision for the person administering your Estate. For example, the power to sell and convert assets to cash, etc.

On several occasions the language a person uses in making a home–made will can be vague or misinterpreted.

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Often people take certain things for granted; for example, that their children will outlive them.

Favourite non-profit organizations such as a health charity or Greenpeace are not identified properly.

People may instruct to give a particular item to a friend or relative, but no consideration is given to what happens if that gift does not exist at the date of death.

Sometimes a house is left to a spouse, in trust for example, but then there is often no mention of who pays the expenses for upkeep of the property during the lifetime of the beneficiary.

Last, but not least, don't make the mistake of assuming because you have typewritten your own will that it is a valid Holograph will. A typewritten will has to follow the usual formalities of a prepared will, such as witnessing and signing as required by law.

If a will is not done properly, the things you have worked hard for all your life may not be looked after in the manner you would have wished – not to speak of the confusion left behind for loved ones, at a time when they are least able to cope with such difficulties.

For a free copy of the booklet "Questions & Answers About Wills" which has more helpful information about this topic, please write to: Greenpeace Canada, 1726 Commercial Drive, Suite 200, Vancouver, B.C. V5N 4A3.

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