

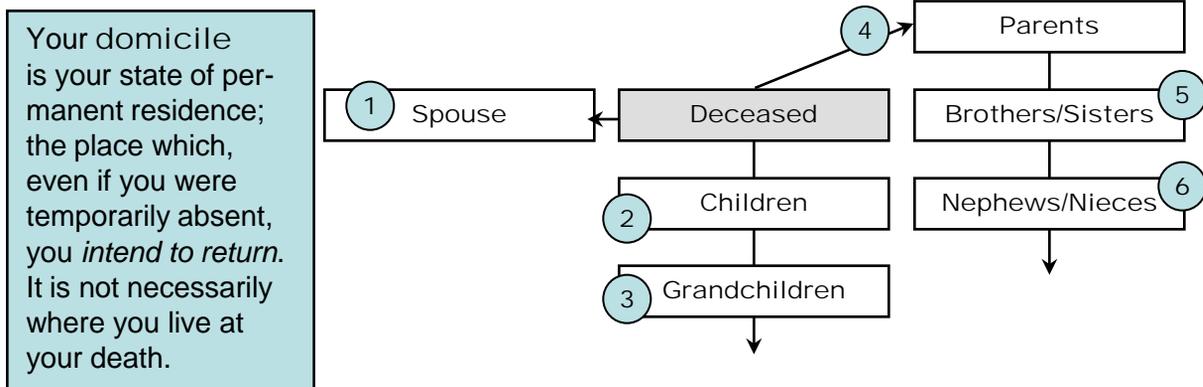
# Do You Need a Will?

What is a will? A will is a legal document you use to give away your estate at your death. It may also name people to do important jobs, such as administrator of your estate or guardians for your children.

Do I need a will? Not everyone needs a will and there is no penalty for dying without one. Many military members have a will prepared when: (1) they are married or have young children; (2) they want to leave specific items of property to named individuals; or (3) they want to exclude a close family member from receiving any part of their estate.

Your estate can be everything you own—your personal property (cars, household goods, etc.), real estate, and other assets such as bank balances and investments.

**Dying Without a Will.** The maker of the will is called the testator. If you die without a will you are considered intestate, and the intestacy laws of the state where you were domiciled at death will determine who should receive your property. In a way, the state's intestacy laws write a will for you. In most states, intestate distribution is as follows:



If you do not have a will and die unmarried, childless, and with no surviving parents or siblings, all of your property will go to your closest living relative. If more than one relative of the same degree of relationship is living, those relatives share your estate equally. Only if no surviving relatives can be found will property go to the state. *You should execute a will if you want to distribute your property in a manner other than that provided by intestacy laws.*

Care and guardianship of minor children. Care and guardianship of minor children is another matter your will may address. When someone with children dies, the other parent will likely have full custody of the children, even if the parents are divorced. If the other parent is dead and there is no will appointing a guardian, the court will appoint a guardian in accordance with the laws of the state where the children live.

Legal Assistance Attorneys are available to help you determine if you should prepare a will.