



OFFICE OF THE JUDGE ADVOCATE GENERAL LEGAL ASSISTANCE POLICY DIVISION



DO YOU HAVE A CURRENT WILL?

A will (often formally called “a Last Will and Testament”) is a legal document that coordinates the distribution of your assets after death and can appoint guardians for minor children. A will is important to have, as it allows you to communicate your wishes clearly and precisely.

If you die without a Will (intestate), your estate is divided according to the probate laws of the State of your domicile. These laws might not mirror/favor your wishes as they are general default arrangements. Eligible ID card holders can have their Wills prepared for **FREE** by a military legal assistance office. Much heartache and frustration can be prevented by drawing up a valid and carefully drafted will.

You do not need to be a millionaire to have or need a will. Although it is not required for anyone to have a will, it is a good idea for most adults to have one. Even though it a good idea to have a will, commanders cannot order Servicemembers to get wills, as having a will is voluntary.

If you already have a will, it is recommended that you review your will at least once a year to ensure that it still accurately reflects your personal circumstances and desires. One way to remember is to review your Will each year on the month of your birthday. If there have been no major changes during the past year, then the will can be placed back in your fireproof box (or other safe place) until next year’s review, or until there is a significant change in your life.

A significant change for example, would be a change in your marital status, the number of children you have, your state of legal residence, or the change to any of the named individuals in your will (beneficiary, guardian, or trustee). Changes to your will should never be made by pen-and-ink corrections to the will itself. Anyone who wants to revise his or her will or other estate planning documents should make an appointment to see a Legal Assistance Attorney.

A will can be many years old but still accurate if nothing significant has changed in your life. There is nothing that says that a will made 10 years ago, needs to be re-done simply based on the age of the document. On the other hand, a will could have been made six months ago, but if you have divorced since then, or changed your mind about one of your beneficiaries, executors, guardians, or trustees, it is considered a good time to update your will. To remove any doubt, review and update your will as needed.

If you would like a will prepared, or if you would like to update an old will, please contact your local legal assistance office to speak with an attorney.

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