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## **Over 18 years of age? You should have a will**

If you die without a will in the U.S., the local Probate Court must administer your estate without any direction or input from you. Without a will to guide it, the Court will follow the State law on decisions regarding how to distribute your assets and who to appoint as guardian for your children. A will can be a simple document, but one that gives you control over what happens to your assets and loved ones when you are gone. For example:

- Property (homes, land, jewelry, personal property) and other assets are distributed by a fixed formula determined by state law in all instances of death without a will. By creating a will you can ensure that your property goes where you wish, and sometimes more importantly, ensure that it does not go to certain individuals.
- If you have children, there should be no question about creating a will. You do not want the State or the Court deciding who should become the guardian of your child should you and your spouse die. A will allows you to specifically name a guardian for your children (the person who raises the child and is responsible for him/her), a decision that should never be made by anyone other than a parent.
- A will can help you distribute your property in such a way that you reduce the tax burden on your estate. This means that the government takes less of your estate, and therefore more is left for your heirs.
- If you own your own business, having a will can be instrumental in keeping that business alive when you die. Without the direction of a will to sell the business off, appoint a Manager, or be passed on to family members, a business may go months without direction until such time as the Court addresses your estate. Such periods of inactivity can cripple a business leaving nothing of value to run, or sell, for your heirs.
- A will is revocable, which means it can be changed. You can change your will as many times as you like, as it is not filed (or probated) until death.
- A will allows you to make particular funeral arrangements, appropriate for your religious beliefs and your personal wishes.

A will is an important document to have, even if you do not have many assets. It gives you control over how your assets are distributed and who becomes a guardian for your children; decisions that only you should be making. With the help of an experienced lawyer, drafting a will can be a simple process, but one that is invaluable. If you do not have a valid, current will, make it a priority to have one done, for your own peace of mind and the interests of your family.

**This informational article is published by Greenberg & Co., Two Corporate Drive - Suite 234, Shelton, CT 06484 USA. We can be contacted via telephone by calling (203) 225-0200. Our website address is: [www.greenbergandco.com](http://www.greenbergandco.com), and we can also be reached by email at [learnmore@greenbergandco.com](mailto:learnmore@greenbergandco.com). Any request for permission to distribute, reprint, or publish this copyrighted material must be submitted to the above address in writing.**