

## WHERE THERE'S A WILL, THERE'S A WAY

Most people do not want to think about dying, and so they put off decisions involving how they want their families to be provided for after they die. This may be more comfortable for the person, but it makes it extremely uncomfortable for the children and loved ones left behind who must decide how to handle the estate. Without a will to guide the process, a person's estate can get confused, which may result in unnecessary strife and the loss of property.

In order to prevent problems with the handling of an estate, a will should be properly prepared and executed. The will states who is to be the executor, the person responsible for paying the debts and dividing the property of the estate. The will states who receives what property. It is especially important to have a will if you wish to leave property or money to your church, a charity, or someone who is not a blood relative. If you have children, a will can make provisions for guardianship of the children and any property or money you wish to have held in trust for them. For those who own restricted property, such as an allotment, or shares in a native corporation, a will is important because it will determine who in the family is to receive these things.

Without a will to govern it, an estate will pass through intestacy. This means that it will pass to those descendants and other relatives as specified by Alaska law. If there are no descendants or relatives, an estate can be lost altogether.

It is important to discuss your estate plan with your family, especially the person that is appointed your executor. Your will should be kept in a safe place, or should be deposited with the court for safekeeping, so that when the time comes it can be referred to in disposing of your estate. For more information about preparing your will, talk to your attorney or financial planner or contact your nearest Alaska Legal Services Corporation office.