THE LAW OFFICES OF ALESSANDRA MESSINEO LONG

Estate Planning: What to Leave Out of Your Will

Exclusions to Consider

For clients starting their estate planning journey, the focus is often on what and whom to include. This is also an opportunity to consider other important elements, even those that should not be included in a will.

Hope this note finds you enjoying summer. This season, we all tend to leave "life admin" on hold, but I hope this information is good reference when you get back to it!

When drafting your will, it's important to **omit** these 10 items to avoid complications:

1) Gifts to individuals with special needs, as direct bequests can affect their eligibility for government benefits; instead, use a Supplemental Needs Trust.

2) Exact dollar amounts, as estate values fluctuate; instead, use percentages.

3) Account passwords, as they are part of the probate process; store them securely elsewhere.

4) Funeral instructions, as wills are often read after the funeral.

5) Conditional bequests, e.g., requiring beneficiaries to meet specific conditions, which can lead to legal challenges.

6) Assets with beneficiary designations, like retirement accounts and life insurance policies which pass directly to named beneficiaries, so keep these updated.

8) Jointly owned property typically overrides a will's provisions, so be mindful of how it's titled.

5) For firearms, consider creating a gun trust to ensure compliance with state and federal laws.

9) For digital assets, provide access instructions outside of your will, as these can be difficult to manage posthumously.

10) For pets, designate someone to care for them and leave funds for their upkeep.

To learn more, I encourage you to read the full article from Kiplinger here: **Expert Advice on Things You Should Leave Out of Your Will**

As always, I am here to help in any way.

Best,

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