

Do You Need a Lawyer to Write a Will?

While you aren't technically required to hire a lawyer to draft a will, failing to do so can lead to costly problems for your family and other heirs.

A will is a legal document that directs who will receive your property when you die. The legal requirements are pretty simple. In order for your will to be valid, you must know what property you have and what it means to leave it to someone, then sign the document and have it witnessed according to the laws of your state. Some states allow you to make a handwritten will, called a "holographic" will. This will does not need to be witnessed, but it is much more likely to be challenged after you die.

Many services have popped up that offer do-it-yourself will software or documents. These might work fine if you have little or no property, small savings or investments, and a traditional family tree, but the rest of the population should not use these programs. When it tested three leading online legal document preparation services, [*Consumer Reports* concluded](#) that none of the will-writing products was likely to entirely meet a person's needs unless those needs are extremely simple.

And likely you'll need a lawyer to definitively determine whether or not your needs are indeed simple. Do you have an estate that is taxable under state or federal law? Do you own significant amounts of tax-deferred retirement plans? Do you know how to fund the revocable trust provided on the computer program? Is there anything about your estate that is unusual, such as having children from a previous marriage or a disabled child? If you have any questions about your estate plan, you need to see a lawyer.

Not hiring a lawyer can lead to problems that drag out your estate administration and cost money and create headaches for your heirs. For examples of what can go wrong if you fail to use a lawyer, click [here](#) and [here](#).