

# Plan for estate can save trouble later

If you die without a will, the state will dictate how property is divided, which may not suit your wishes.

By **DAN MARGOLIES**  
KANSAS CITY STAR

The most basic piece of an estate plan is a will.

A will allows you to control what happens to your property and to provide for someone to care for your minor children if they're left with no surviving parent.

State law dictates a will's execution requirements, but generally

a will must be signed by the person making the will, the testator, and two witnesses with no interest in the property passing under the will. The testator must be of sound mind and not be acting under duress.

If you die without a will, or intestate, state law will dictate who inherits your property. That may not be in accord with your wishes. Moreover, dying intestate could divert funds that could otherwise go to family or friends.

Many people try to do wills themselves, using do-it-yourself books that encourage people to dispense with lawyers and their attendant costs.

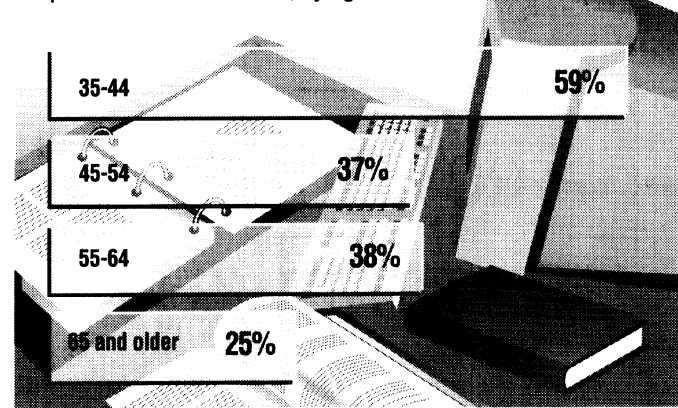
"With estate planning, you get what you pay for," Kansas City lawyer Richard English said. "A lot of people try to cut corners using do-it-yourself kits, but many people have substantial tax and nontax issues in terms of how to deal with their family members. It's worth doing it right.

"We're seeing more and more litigation because a person's estate planning wasn't done as carefully and as thoughtfully as it should have been."

Lawyer Carl Chinnery, whose firm, Carl Chinnery & Associates, focuses mainly on estate planning, said, "We find that people who get

## Estate planning

People who do not have wills, by age:



SOURCE: MarketFacts for U.S. Bancorp Piper Jaffray

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forms off the Internet or some wrong forms or fill them out stationery store often get the wrong."