What is a Will?

A will is a written document that says who gets your things after you die. If you don’t have a will, the law decides who gets your property. A will can also:

- Give gifts to charities,
- Create a trust (a way to hold property for someone else),
- Say who pays any taxes you owe, and
- Name a guardian for your children.

Important Terms

- **Estate:** Everything you own when you die.
- **Personal Representative:** The person who manages your estate after you die. Also called an executor.
- **Heirs:** The people who get your property.
- **Trust:** A way to hold your property for someone else’s benefit.

Making a Will

To execute a will you must be at least 18 years old and mentally able to understand what you are doing. Your will must:

- Be in writing,
- Be signed in front of witnesses and a notary, and
- Follow Florida law.

You can change your will by making a new one or adding an official change called an amendment. You cannot change your will by crossing things out or writing new things after it is signed.

Limits on a Will

Some property cannot be given away in a will, like:

- Homestead property if you have a living spouse or child,
- Property you own only for your lifetime, or
- Property you own with someone else that passes to them when you die.

Wills and property rules can be complex. You should talk to a lawyer to make sure your will is valid.