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**DO YOU WANT THE STATE TO WRITE YOUR WILL?**

If you do not have a Will, and if you die without leaving one of your own, do you know that the State of New Jersey has made one for you?

The following “Will” is a not-too-far-fetched summary of how your estate would be distributed under the “Will” provided by the State of New Jersey for residents who die without a Will of their own. In general, this “Will” be your Will unless you ask your attorney to prepare a better one for you.

## *Will*

**First, Distribution:** If I have no descendant or parent survive me, I give my spouse my entire estate. I also give my entire estate to my spouse if all of my surviving descendants are also descendants of my spouse and there is not any other descendant of my spouse who survives me who is not a descendant of mine.

If no descendant survives me but a parent survives me, I give to my spouse the first 25% of my estate but not less than \$50,000 nor more than \$200,000 plus 75% of the balance. The rest I give to my surviving parents.

If I have a surviving descendant who is not a descendant of my spouse or if I have descendants surviving and my spouse has a descendant surviving me who is not my descendant, I give my spouse the first 25% of my estate but not less than \$50,000 nor more than \$200,000 plus 50% of the balance. The rest I give to my descendants by representation.

If I leave no child, other descendant or spouse, I leave my entire estate to my parents or the survivor, or in default, to my brothers, sisters or their descendants, otherwise to my grandparents or uncles or aunts or cousins.

**Second, Guardians for Minor Children and Bond:** The share of a minor child shall be paid to a guardian of the estate. I elect not to name such guardian, or a trustee. If a child is over 14, such child may designate his or her own guardian. I direct that the Court approve such designation if reasonable, and appoint anyone it desires to serve as guardian for other minors.

The guardian must seek approval of the Court to use principal for a child. Further, the guardian shall be required to file a bond, and the cost of the bond shall be paid out of the child's share of the estate.

When a child reaches the age of 18, such child shall receive his or her share outright and have the privilege of spending it as desired. No one shall have any legal right to question such child's actions.

Furthermore, if my spouse survives me, my spouse shall be guardian of the person of a minor child. If my spouse does not survive me, I elect not to name such guardian.

**Third, Remarriage:** If my spouse should remarry, on my spouse's death, the second spouse shall be entitled to a legal share of my former spouse's estate. There shall be no obligation upon either of them to use the assets from my estate for my children.

**Fourth, Taxes:** I desire not to take advantage of the opportunities provided by state and federal governments to minimize taxes on my estate. I prefer to pay the government taxes rather than make an effort to reduce them for the benefit of my spouse and children.