

Revoking a Will Procedure

This playbook provides a step-by-step guide on legally cancelling or revoking an existing will. It outlines the necessary actions and legal considerations to effectively nullify a previous testament.

Step 1: **Review Will**

Examine the existing will to understand its provisions and determine the best method for revocation.

Step 2: **Legal Consultation**

Schedule a consultation with an attorney specializing in estate planning to discuss the implications of revoking the will and to ensure compliance with state laws.

Step 3: **Revocation Method**

Choose a method for revocation, which typically includes creating a new will that states the previous will is revoked, destroying the original will, or drafting a codicil if only minor changes are needed.

Step 4: **Create Document**

Draft the new will or codicil with explicit language stating the revocation of all prior wills and testaments, or physically destroy the will if that method is chosen.

Step 5: **Witness Requirement**

Ensure the revocation process, especially if creating a new will or codicil, is witnessed by at least two disinterested parties who can verify the intention to revoke.

Step 6: **Notarization**

Have the new will, codicil, or declaration of destruction notarized to add a layer of legal authentication, when applicable.

Step 7: **Secure Storage**

Store the new document in a secure location such as a safety deposit box, and inform the executor or a trusted individual of its location.

Step 8: **Notify Relevant Parties**

Inform relevant parties, including any beneficiaries and the executor named in the old will, of the revocation and the existence of the new will, if applicable.

General Notes

State Laws

Revocation laws can vary by state; always ensure actions are compliant with local regulations.

Revocation Clauses

In the new will, include a revocation clause that explicitly states that previous wills and codicils are null and void.

Legal Records

Maintain records of the revocation process, including any communications or legal advice, in the event that the revocation is later contested.

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