

DO-IT-YOURSELF WILLS

As with anything in life the "cheapest" option is not necessarily the least costly in the long run - beware the pitfalls!

By **Debi Godwin**, Director - Independent Executor & Trust



The law has always, to some extent, been regarded by the layman as being clothed in a shroud of mystery. However, with the advent of the internet, our intense media and generally the age of technology, a new awareness has arisen amongst members of the public of the protective function of the law and the far-reaching effect of the law and legal rules on our everyday lives. Wondering how the public perceives the concept of wills and what the average person's expectation is in terms of service delivery, I decided to wander around the wealth of information that is available on the internet. I was appalled to see that there are numerous "DIY" Will kits available. From the likes of "print your free will here" to "please complete the application and we will e-mail your will to you for a fee of X". It struck me that unsuspecting members of the public will probably feel they have done exceptionally well by printing their free will, filling in the blanks and signing it. At least they have taken care of their loved ones...or have they?

A prerequisite for a well drafted Will is the

drafter's ability to tailor-make the document to suit an individual's needs. Pointers to consider are family dynamics, beneficiary's special needs, as well as the obligations, assets and liabilities of the person making the Will. Each person is an individual, every situation unique. Printing a Will off the net, with no consideration what-so-ever to personal circumstances is comparable to asking a perfect stranger if you can wear their underwear. It may not fit, but if you push, pull and squeeze you might just get into it. So it is with the makeshift will – Mr Technology who has created a web site giving you the benefit of punching in your details and requesting your printer to print the finished document, has no idea that the person making use of this service is possibly married or perhaps has a dependent with an abuse problem or say, an habitual spending problem. All these factors are relevant and in the end it will be the beneficiaries who will end up paying the price of a badly drawn will, both emotionally and financially. As with anything in life the "cheapest" option is not necessarily the least costly in the long run. ⊕



At Independent Executor & Trust we are committed to personalized service and individual attention. With combined experience of 65 years, we specialize in the Drafting of Wills, Administration of Estates and Testamentary Trusts.

49 Beach Road, Nahoon, East London, 5241 | PO Box 8081, Nahoon, 5210
 Telephone: (043) 735 4633 Fax: 086 693 3356 / (043) 735 3942 | e-mail: debi@iet.co.za