



AGUDATH ISRAEL OF AMERICA LEGAL SUPPORT SERVICES

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Wills

We are often asked about the halachos of making a will. There are significant halachic issues involved in making a will. We advise everyone to have a will, as without a will a person's estate will be distributed according to the state's intestacy laws and this will not necessarily conform to what the person wanted and will also not conform to the halachic requirements of inheritance. Furthermore, and perhaps most important, is that what happens to one's minor children could be left up to the state if there is no surviving parent. For anyone with children under 18, having a will is thus essential.

To ensure that one's will conforms to halacha, one should either have the will drafted by an attorney familiar with the halachos or consult with a Rav as to what to do.

There are several seforim that discuss the halachos of making a will and explain the issues involved. Machon LeHoraah in Monsey, New York has a brochure entitled "Making a Will the Jewish Way", and has also published a booklet called Sefer Nachlios on this topic. They can be reached at 845-425-9565. Rabbi Feivel Cohen of Brooklyn has written a sefer in Hebrew and English called Kuntres M'dor L"Dor that contains forms that can be used to effectuate a halachically valid will. This can be obtained in seforim stores or from the author directly at 718-336-4991.

If you wish to find an attorney to draft a will for you, which is definitely advisable to ensure that all legal issues are handled properly as well as all tax consequences, etc., contact us directly and we will try to refer you to an attorney in your area who is familiar with the halachic issues involved in making a will.