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PLANNING A WILL

A will is an important document because it disposes of your property after your death. But a will is a human instrument as well as a legal instrument. It should give happiness rather than unhappiness.

It is not the purpose of this circular to tell you what you should do with your property, but to help you do what you want done.

Get an attorney to help you make your will. At the very outset one thing should be stressed. **You should go to an attorney to get help when you want your will drawn.** The best protection against legal contests that you can give your will is to have it drawn by a competent attorney whom you trust. Legal words have court meanings that are known to attorneys. When you are ill, you seek the help of the best doctor you can find. You don't try to treat yourself or go to a veterinarian for treatment. So, too, when you need help in making a will, you are wise to go see the person trained in law, the attorney. It is true that bankers, real estate persons, lay people have drawn valid wills. However, the better rule is to let the attorney draw your will.

Is a will needed? Property must go somewhere. It must at all times have a living owner. It is for this reason that Kansas has laws that decide who is to receive your property if you die without a will (intestate). If you want your property to go other than as the law would decide, it is up to you to make a will telling how you want your property to go. A person who dies, leaving a will, dies testate.

Why make a will? By means of a will, your personal wishes and not those of the laws of the state of Kansas, will govern the distribution of your estate. You may deal with every member of your family as an individual and will property to them upon a basis other than that of relationship to you.

You may want your youngest son, John, to have the home place because he stayed at home with you helping you to manage your farm in your old age. Under the Kansas laws, John would share along with the rest of the children taking his undivided part. With a will you can leave the home place to him as his part, if that is what you want to do.

Or take a family situation in which the children are all minors (under legal age). The real estate is all in the hus-