

Cost of making a will. The cost of making a will varies. It will not cost as much to draw a simple will as a complicated one. In some counties where there is a bar association, the county bar association has set a minimum fee.

How a will may be revoked. A will does not take effect until the death of the maker. You may destroy your will by burning or tearing it up, or by cancelling or obliterating it with intent to destroy. You may make a later will. If you only want minor changes, a codicil (a baby will) can be added at the end of the will which changes sections of it. A word of caution, though. **Let your attorney help you make any changes.**

Marriage and a birth of a child subsequent to the marriage revokes a will by operation of the law of Kansas.

Probation of a will. Before a will has any legal effect, it must be probated; that is, officially proved in the probate court. Any will to be valid must be probated within a year after death. The Kansas law also says that any person who has possession of a will of someone else and does not offer it for probate within one year is barred from all rights under the will and is liable for damages sustained by other beneficiaries who do not know of it.

Where to keep your will. After making a will you should store it in a safe place where it can be found after you are gone. The Kansas law makes it possible for you to store your will with your county probate court. The court will enclose your will in a sealed envelope, endorse it with the name and address of the testator (maker of the will), and will give you a certificate of deposit. You can go get it any time you want. Or if you are unable to go and get it yourself a written order signed by you with two subscribing witnesses will get it for you.

DEFINITION OF LEGAL TERMS FREQUENTLY USED

Adult—A person old enough to acquire legal majority, usually 21 years of age.

Administrator—One appointed by the probate court to settle an estate when no will is made.

Alien—A person who is not a citizen of the country in which he is living.

Appraised—Value determined by study rather than by public sale.

Attestation—The act of signing of the name at the end of a will or other legal paper usually before witnesses to prove that it is valid.

Beneficiary—One who benefits; one who receives property.

Bequeath—To give personal property by will; real property is devised by will.

Bequest—A gift of personal property by will.

Decedent—A dead person.

Descent—The transfer of title to property upon the death of an ancestor.

Devise—A gift of real property by will. A gift of personal property by will is bequest.

Distribution—The act of dividing the property among the heirs.

Escheat—The reversion of the property to the state.

Estate—The legal interest one has in any property.

Executor—A person named in a will to carry out its provisions as interpreted by the probate court.

Heir—A person entitled to inherit the lands or real property of another.

Holographic will—A will written by the hand of the testator.

Homestead—The land and buildings occupied by the owner as a home for himself and family and protected by law from the claims of creditors.

Intestate—Not having made a will; opposite of testate.

Issue—Children, offspring.

Legacy—A gift of personal property made by will or testament.

Letters of Administration—Authority granted by the probate court to a person called the administrator to settle the estate of one dying intestate or without a will.

Letters Testamentary—Authority granted by the probate court to a person named in the will.

Lien—A legal claim on the property of another.

Lineal descent—Direct descent—Grandparents, parents, children, grandchildren.

Majority—Age at which a person is legally capable of managing his own affairs.

Minority—Age at which a person is legally incapable of managing his own affairs.

Next of kin—The person entitled by law to inherit the personal property of one dying without having made a will.

Noncupative will—An oral will.

Partition—Division of real estate.

Probate court—A court to determine the heirs and direct the settlement of estates as well as other matters.

Remainder estate—The rights or interests left after a life estate has been created out of a fee simple estate.

Revision—The rights or interests that remain in a grantor after he has created a life estate or subordinate interests out of a fee simple estate.

Seized—To have real property as an owner.

Spouse—Husband or wife.

Statute—Law passed by a legislature.