

FAQ

&

FACTSHEET

WILLS IN ALABAMA

Can I use a do-it-yourself Last Will and Testament ?

You can. However, we recommend you see an attorney to ensure your Last Will & Testament is properly drafted and executed.

Do I have to leave anything to my spouse?

You cannot disinherit your spouse without having made provisions for them by other means. Alabama has an “elective share” law. If you omit your spouse from your will, your spouse may have the right to take the lesser of: (1) all of the estate of the deceased reduced by the value of the surviving spouse’s separate estate; or (2) one-third of the estate of the deceased.

Do you have to pay off the loan of a house you inherit?

If you are left an asset that is encumbered by a loan, then you take the asset subject to the loan, unless the deceased made other provisions to satisfy the loan.

Last Will & Testament



What is a will contest?

A will contest is an action where someone, typically persons named in the will or those who would have received the property under the laws of intestate succession, challenges the validity of the deceased person's will.

Who may contest a will?

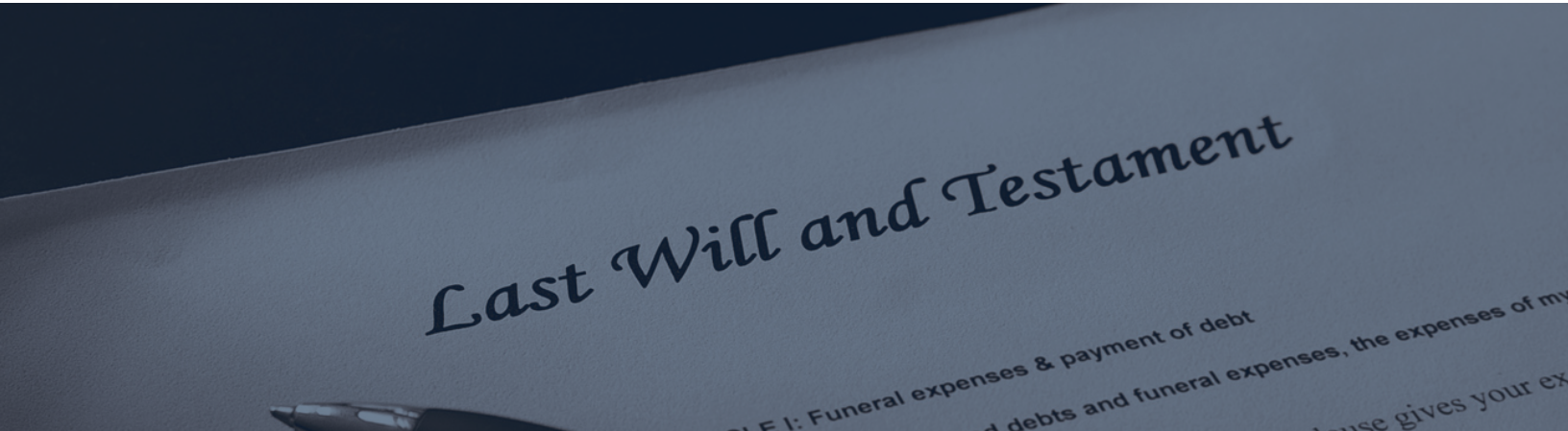
Persons named in the will or those persons who could have received the property under the laws of interstate success have standing to contest a will.

What are the grounds to contest a will?

Many grounds exists to contest a will. Some of the grounds include, undue influence, lack of testamentary capacity, underage, and fraud.

Do I need to have a will if I have a trust?

Many people find it helpful to have a will and a trust.



Bridging the Civil Justice Gap

How does LSA help low-income Alabama?



**TIMELY LEGAL
COUNSEL & ADVICE**



**QUALITY LEGAL
REPRESENTATION**



**COMMUNITY
EDUCATION**



JUSTICE FAIRNESS HOPE

**Legal Services
Alabama**

LSA is one of the preeminent legal aid organizations in the country in bridging the civil justice gap through its recognized commitment to racial, social, and economic justice and support of a talented, diverse, and innovative staff.

Heirs Property is the hidden story behind blight and generational poverty in Alabama.

Heirs property refers to a home or land that passes from generation to generation without a legally designated owner resulting in ownership divided among all living descendants in a family. This unstable form of ownership limits a family's ability to build generational wealth and hampers the efforts of nonprofits and cities to revitalize neighborhoods.

CONTACT US

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888-835-3505 **ESPAÑOL**

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