

You Do Not Have To Leave A Dollar To Disinherit Someone In An Estate Plan

There is a popular misconception that is part wives tale part urban legend that the best way to disinherit someone, particularly a child, is to leave them a dollar in your will. The will in this case usually contains a provision such as "I leave a dollar to my child". Leaving a dollar in a will is probably the worst way to disinherit someone from a will and is totally unnecessary.

There are still a large number of wills that do contain a bequest of one dollar to a loved one. The thinking behind this concept is that by leaving a dollar to a person in a will, you keep the person named from inheriting any more than that amount. It is true that the person named will only receive a dollar and nothing else as an inheritance, but it is unnecessary. This is the equivalent to using a bazooka to swat at a fly when the fly swatter would have been easier and much more appropriate response for the situation. When making a will it is best to choose the path of least resistance. Some unknowingly choose the path that will cause resistance and heartache.

There is a simple alternative to leaving a bequest of a dollar in a will. The alternative is simple as not naming that person in the will at all. It is only necessary to make a will after that person is born or name that person in the introductory clause in your will and make no further bequests to that person disinherit them. A simple acknowledgement in the introductory clause of the will says that you know this person is a family member or loved one, but that you choose to not leave them anything in the will or outside of the will.

Leaving a bequest of a dollar will potentially increase probate costs. The increase in probate costs as that heir will have to be notified and a check for a dollar from the estate will have to be actually delivered to that person. This is can be very mean and cruel as the loved one gets notice of an inheritance and gets their hopes dashed when it is only for a dollar. It can be potentially hurtful to child and seen as a final spiteful act. For whatever reason someone chooses to disinherit it is only necessary to make a simple will to disinherit without going any further.

Evan Guthrie Law Firm is licensed to practice law throughout the state of South Carolina. The Evan Guthrie Law Firm practices in the areas of estate planning probate personal injury and divorce and family law. For further information visit his website at <http://www.ekglaw.com>. Evan Guthrie Law Firm 164 Market Street Suite 362 Charleston SC 29401 843-926-3813