

# How to use the Affidavit of Execution included with your Last Will & Testament

## What is an affidavit of execution?

- An optional document that makes it easier to prove the Will's validity.
- Eliminates the need to have at least one witness testify in court since the Will's validity is already proven by the affidavit. This can make probating a Will less expensive.

## How do I use the affidavit?



**Print as many affidavits as there are witnesses** and take the documents, along with your completed Will and chosen witnesses, to a local commissioner of oaths or notary public.



**Have your witnesses sign the affidavits** under oath according to the commissioner/notary public's instructions.



**Attach** the completed and sealed affidavits to your Last Will and Testament.



**Store all documents** in a safe place.

## Additional notes:

- Using an affidavit of execution is completely optional and will not affect the validity of the Will.
- The affidavits can be completed at the same time as the signing of your Will or at any later date.
- If you are likely to create a new Will in the near future, it may not be worth the effort to make this Will self-proving.

## Last Will Additional Information



### Complete your Estate Plan

You need more than a Last Will and Testament to fully manage and protect your estate. A good estate plan also includes a Living Will, and in some cases, a Power of Attorney or Living Trust. All these documents, along with explanatory help, are available for free at [LawDepot](https://www.lawdepot.com).



### Related Documents

The following are documents that you may find useful as you finish building your estate plan:

- **Gift Deed**  
Transfer ownership of real estate, personal property, or intellectual property without receiving anything of value in return.  
<http://www.lawdepot.com/contracts/gift-deed/>
- **Bill of Sale**  
Transfer ownership of personal property.  
<http://www.lawdepot.com/contracts/bill-of-sale/>
- **Codicil**  
Modify, remove, or add clauses to an existing Last Will and Testament.  
<http://www.lawdepot.com/contracts/codicil-to-will/>
- **Power of Attorney**  
Give another party the legal authority to act on your behalf in order to manage your legal and financial affairs.  
<http://www.lawdepot.com/contracts/power-of-attorney-forms/>
- **Revocable Living Trust**  
An estate planning document that allows you to place your assets in a trust so that they can be distributed according to your wishes upon your passing.  
<http://www.lawdepot.com/contracts/living-trust/>
- **Living Will (Health Care Directive)**  
Indicate your medical wishes in case you become incapacitated or otherwise unable to consent to your health care treatment.  
<http://www.lawdepot.com/contracts/living-will-medical-power-of-attorney/>

Know someone who could use free legal resources?

Tell your friends using the links below:

