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## Testate Succession

### Why make a Will?

A simple Will is not a complicated or expensive document to create in Israel and it could save a great deal of family discomfort and expense.

- **Clarity** - a Will gives clarity to your wishes. You can specify special gifts, or preserve assets for distribution when children or grandchildren reach a certain age. You can appoint an executor to maintain and distribute your assets. You can apportion your life's wealth among your survivors in a way you consider equitable.
- **Spousal Rights** - if you do not create a Will, your estate will be distributed according to the law. **Your surviving spouse may not inherit full rights to the family home, but share ownership with children or other relatives.** If your surviving spouse wishes to sell the property, he/she will need the consent of the joint owners - which may not be forthcoming if the family can't agree terms. Creating a Will removes this problem.
- **Reduce Time Wasted, Bureaucracy and Expense** - if you leave a Will, an application is made for Probate (tzav kiyum tzava צו קיום צוואה). This is usually quick and inexpensive. If you do not leave a Will, an application must be made to the Family Court for a Succession Order (tzav yerusha צו ירושה) - a much more complicated, expensive, and lengthy process. Your heirs will receive their inheritance much later.
- **Guardians** - you may appoint guardians in your Will, people you trust to attend to the affairs of minor children or those with special needs. Without a Will, this may be left up to the court - which is not an ideal situation.

- **International Considerations** - creation of a Will for each jurisdiction in which you own property can drastically reduce the time and expense of winding up your estate. Please see the section "International Elements of Inheritance" for more details.
- **Digital Assets** - this is a new and very important subject that needs to be considered carefully. I've given special attention to this in the section "What are Digital Assets".

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