



Instructions to the writing of the "Legal Will":

1. A 'will' usually consists of many pages; the testator should sign each page of the will. Endorse close to the last line to avoid any unauthorized addition.
2. The pages should be numbered.
3. The date should also appear on each page above the signature.
4. Avoid extra spacing between the paragraphs.
5. JOINT

It is common that a husband wishes to grant his wife full control on the estate but wishes to secure that his heirs should take their portion of the estate as his wife remarries or deceases. In this case, it is advisable that a joint will be written in one of the following options:

- a. If the wife survives her husband, she shall have the power of attorney to handle the estate as she wishes until she remarries and/or deceases. The successors may then divide the estate as stated in the will. If the husband survives his wife, all assets shall be his.
- b. A trust can be created to afford support for the wife, and the remainder transferring to the halachic heirs after her death.

Two Tzava'ot [the 'Conditional Note'] shall be written and signed, by each of the parents.

For further questions or assistance,
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Conditional Note To Accompany Legal Will

I, _____ residing at _____ the undersigned, hereby admit with the effect of an admission in front of a duly constituted Bais Din that if the wishes expressed in my Last Will and/or Trust, [deposited with _____] will be contested by my heirs, I have obligated myself, without any limitations or conditions [provided that I do not retract this debt in writing], to pay the sum of ¹ \$ _____ (_____ dollars) to _____ of _____ [and the same amount to ² _____, of _____], payable one hour before my death. This obligation was created with a valid Kinyan Sudder, effective immediately, in the presence of a Bais Din Chashuv in a manner most effective in Halachah. I also affected in a manner most effective in Halachah that all assets, both moveable and Real, that I presently own and those that I may acquire, are liable for this debt.

Notwithstanding the forgoing, this obligation shall be rendered null and void if the wishes expressed in my Last Will and/or Trust, [deposited with _____], will be carried out and none of my heirs contest the disposition of my property set forth therein in regard to any benefit that said Will and/or Trust benefits the beneficiaries named in the Will.

However, if some of my heirs reject the Will, I have conditioned with the beneficiaries of the debt that they will pay to the beneficiaries who do not reject the Will, their share of the Will.

This agreement was executed in a manner consistent with all of the halachic requirements concerning the formation of conditions known as Tnay Bnei Gad U'Bnei Reuvain. I admit that all this was consummated with a valid Kinyan Sudder, effective immediately, in front of a duly constituted Bais Din in the manner most effective in Halachah.

I, irrevocably and without time limit, accept upon myself and my heirs, even if they are minors, the testimony of any Obligee or their heirs, regarding the validity, lack of payment, or waiver of the said obligation, with the same effect as testimony from two qualified witnesses, without the need of any form of verification, including, an oath, cheirem or hin tzedek, even after payment is made, unless I or my heirs present halachically determinative proof to the contrary. I accept as binding the position of any halachic authority, even if in the minority and not generally accepted, that most broadly supports the validity of this document and its implied intent. All terminology in this document shall be interpreted in the manner that most broadly supports the validity of this document and its implied intent. This document shall constitute full evidence even if it be found in my possession and not yet released from my hand.

On all this, I admit with the effect as an admission in front of a duly constituted Bais Din in a manner that is not an Asmachta, but with the intent of a valid and binding commitment and is a enforceable legal instrument . This is all valid and in good standing.

On all this I affix my signature on this day of ___/___/_____

In front of us undersigned witnesses, _____ did sign the above document in good faith without duress and in full control of his faculties. This is all valid and in good standing.
On all this we affixed our signature on this day of ___/___/_____

1 Insert an amount estimated to be the approximate value of the estate.

2 If left blank, a line should be drawn on the empty space.