

KINDS OF WILLS

Simple will. A will that just provides for the outright distribution of assets for an uncomplicated estate.

Testamentary trust will. A will that sets up one or more trusts for some of your estate assets to go to after you die.

Pourover will. A will that leaves some of your assets in a trust that you had already established before your death.

Holographic will. A will that is unwitnessed and in the testator's handwriting.

Oral will (also called nuncupative will). A will that is spoken, not written down. A few states permit these (USA).

Joint will. One document that covers both a husband and wife (or any two people).

Living will. Not really a will at all--since it has force while you are still alive and doesn't dispose of property--but often executed at the same time you make your will. Tells doctors and hospitals whether you wish life support in the event you are terminally ill or, as a result of accident or illness, cannot be restored to consciousness.

A statutory will. It is a will that is made on someone's behalf, where they do not have the capacity to do so themselves. If someone does not have testamentary capacity, then a will needs to be constructed for them. A statutory will can only be made by the authority of the Court of Protection, pursuant to section 96(1)(e) of the Mental Health Act 1983 (UK).

STRUCTURE AND EXPRESSIONS (USA, UK)

ESPAÑOL	INGLÉS
Revocación	Revocation <i>I,, a resident of (State), declare and publish this as my Will and revoke all previous Wills and Codicils. I revoke...(UK)</i>
Estado civil e hijos	Marital status and children
Deseos para el funeral, rito...	Funeral wishes <i>I direct that... I want that... I ordain and direct... I wish my funeral to be carried out...(UK)</i>
Deudas, impuestos, gastos testamentarios	Debts, taxes and testamentary expenses. <i>I direct/I want that my legally enforceable debts, taxes and expenses of my estate be paid out of my estate, before any property is distributed to anyone under this Will,...</i>
Bienes y beneficiarios	Specific bequests <i>I make the following specific bequests of</i>

	<p><i>property:...</i> <i>I give...</i> <i>...who are surviving at the time of my death.</i></p>
Patrimonio residual	<p>Residuary estate <i>I give the rest of my estate/my residuary estate...</i> <i>...who are surviving at the time of my death.</i> <i>I name as the alternative residuary beneficiarie.</i> <i>I leave the remainder of my property to.....</i> <i>This falls into my residuary estate.</i></p>
Albacea	<p>Executor/Executrix <i>I appoint as executor of my estate.</i> <i>I give the power to</i> <i>I grant to my executor the following powers:...</i> <i>I name..... as executor...</i> <i>...in the best interest of my estate.</i> <i>...to serve without bond.</i> <i>I appoint as my Executor...(UK)</i></p>
Tutores/Guardianes	<p>Guardians <i>I appoint as guardians of my minor children and their property,</i> <i>... to serve without bond.</i> <i>I appoint to act as guardians...</i></p>
Testador	<p>Testator/Testatrix and witness signatures <i>The above Will was signed, declared, and published as his/her Will by in our presence, and at his/her request we have signed our names to this Will as witness this day of.....</i></p>
Legado (bienes muebles)	<p>Legacy <i>I Give...(UK)</i> <ul style="list-style-type: none"> • <i>Specific</i> • <i>General</i> </p>
Legado (bienes inmuebles)	<p>Devise <i>I give...(UK)</i></p>
Patrimonio residual (instrucciones sobre el pago de deudas, gastos, etc.)	<p>Residuary gift <i>My trustees shall hold the residue of my estate...(UK)</i></p>
Testimonio	<p>Attestation clause <i>Signed by...(UK)</i></p>
Exento de pago de fianza	<p><i>I do not want either to file a bond</i></p>

- En este glosario, si no se especifica nada, los términos están extraídos de testamentos americanos, los que no se especifica (UK).

(UK)

ESPAÑOL	INGLÉS
Testimonio	Testimony
Legar Se emplea para hacer referencia a los bienes muebles	Bequeath
Hijos Incluye tanto a los hijos legítimos como a los ilegítimos, a niños como a niñas y a los adoptados.	Children
Descendientes Hace referencia a los hijos, nietos, bisnietos, etc. tanto varones como hembras.	Descendants
Legar (bienes inmuebles)	Devise
Disponer	Direct
Renunciar	Disclaim
Patrimonio	Estate
Albacea	Executor
*Familia, hijos Normalmente hace referencia a lo mismo que children, pero debido a las confusiones sobre su significado se intenta evitar su uso.	Family
Legado	Gift
Menor	Infant/Minor
Descendiente	Issue
Legado	Legacy
Se hace referencia a la persona más cercana del testador	Next of kind
Premuerto	Predeceased
Disposición	Provision
Es lo que queda después de pagar las deudas, los diferentes gastos	Residuary
Fiel y auténtico	True and correct

Ademption	This is a gift in a will which cannot be made because the item no longer exists.
Administrator	This is a person who has been appointed to manage the estate of someone who has died without leaving a will.
Ambulatory will	This is a will which can be changed because its maker is still alive.
Assent	This is a document used by personal representatives to transfer property to a beneficiary.
Asset	This is something owned such as a building, a vehicle or money in the bank.
Attest	This means to sign to witness a signature on a document.
Beneficiary	This is a person who benefits under a will.
Bequeath	This is to leave something in a will.
Chattel	A chattel is any property except freehold land.
Codicil	This is an alteration to an existing will. The codicil must be signed by the testator and the signature must be witnessed by two people who do not benefit under the will.
Contingent legacy	This is a gift in a will which depends on a particular event happening.
Contingent will	This is a will which only becomes effective if a stated event happens.
Devise	To devise means to leave freehold property or land in a will.
Discretionary trust	This is a trust set up so that the trustees can decide who will benefit from the trust and how much they will get.
Estate	This is everything a person owns when they die.
Executor (male) and executrix (female)	This is someone appointed by a person's will to deal with the person's estate when they die, according to the wishes set out in the will.
Freehold	If someone owns land which is freehold no one else has any rights over the land.

Grant of probate	This is a certificate proving that the executors are entitled to deal with the estate. When a person dies the executors fill in various forms for the Probate Registry. The forms are sent to the registry together with the will and the death certificate. A registrar examines all the documents and, once satisfied with everything, arranges the issue of the grant of probate.
Guardian	A guardian looks after the interests of people who cannot look after their own affairs, such as children or people with mental health problems.
Inheritance tax	This is a tax the Government charges on people's estates.
Intestacy	This happens when someone dies without leaving a will. Their estate is divided up between their relatives following the rules set by law.
Joint tenant	If two or more people have identical shares in land they are joint tenants.
Land	This is the ground, the buildings built on the subsoil below the ground, property to the ground, and the airspace above ground necessary for its ordinary use.
Legacy	This is a gift left to someone in a will, but not including land.
Letters of administration	This is a document recording the court's permission for the administrator to deal with a dead person's property and pay the debts and legacies.
Personal property	This is all property except land.
Personal representative	This is a person who has been appointed to deal with a dead person's estate. If there is a will, the executors appointed will be the personal representatives. If there is no will, the courts will appoint someone called the administrator.
Probate	This is the certificate giving authority to deal with someone's estate. When someone has died and left a will, the executors of the estate apply to the court for this authority.
Probate Court	This is part of the Family Division of the High Court of Justice. It issues the certificate called probate.
Probate Registry	When someone has died the Probate Registry supplies the forms to obtain probate. The executors have to fill in the forms to apply to get the document (probate) from the Probate Court which confirms that the executors have been appointed and that the will is valid.

Property	This is everything a person owns.
Real property/realty	This is land and buildings, minerals in the land and rights over the land.
Residue	This is all that is left of an estate debts, taxes and specific legacies been paid. It will be shared out according the instructions in the will.
Revoke	To revoke something is to cancel it or withdraw it.
Specific gift or specific legacy	This is an item left in a will which can be identified and be given to the beneficiary.
Testator (male) or testatrix (female)	A testator is a person making a will.
Trust	This is an arrangement under which property is held by named people for someone else.
Trustee	This is a person who holds property and looks after it on behalf of someone else.
Will	This is the legal document people use to bequeath (leave as a gift) money and property when they die.