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## **How to Write an Olographic (“Handwritten”) Will**

### **FORM Requirements for your Handwritten Will to be Valid:**

1. **DATE.** You must date your Last Will;
2. **HANDWRITE.** You must write your Last Will in your Handwriting. Do not type your Will and Do NOT have someone else write your Will;
3. **SIGN.** You must sign your Will. You do not need any witness or a Notary.

\*\*\*1) Dating, 2) writing in your handwriting, and 3) signing are the only three form requirements for a Louisiana, handwritten Will under La CC Art. 1575.\*\*\*

### **Meeting form requirements can be easy; wording can be more Difficult. So, ADDITIONAL TIPS:**

1. **Keep the Will simple and concise.** A Handwritten Will should not exceed one page.
  - You do not want to create ambiguity or confusion or invite litigation over what you meant. Thus, do NOT attempt to use legalese or legal terms for which you are not very familiar.
2. **Show Clear Intent to make a Last Will:** Title Your Last Will as "My Last Will." If you are revoking all prior wills, then, state: "I revoke all prior Wills."
3. **Be very clear on what you are gifting to whom and use "gifting language."** A Will is a Donation that only occurs upon your passing. So, please, use words such as “Give, leave, donate, or bequest.” Do not use words such as “I want” or “I intend.” For example, "I give my entire estate to my spouse."
4. **Provide alternate beneficiaries.** If a beneficiary should predecease you, then, specify to whom you want the gift to instead go. For example, “If my spouse passes before me, I leave all my estate to my children.”
5. **Consider naming an Executor,** if you can and provide that your Executor may act as an “Independent Executor.” But, if you cannot think of an Executor appointment, then, no worries. A Will does not have to name an Executor. If necessary, one can be appointed later.

In emergency situations, it may be a good idea to put a Handwritten Will in place. But, utilize the KISS principle: KEEP IT SHORT and SIMPLE. Also, consider: “What is my main goal in writing this Will?” Then, state that goal clearly and concisely.

After the emergency or time crunch passes, you can consider putting in place a Notarial Will, which includes two witnesses and a notary and is considered “self-proving” under Louisiana law.