

Last Will & Testament

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Overview

A will is the foundation of any estate plan, yet more than half of American adults do not have one. For Massachusetts residents, the consequences of that gap are concrete: without a valid will, state intestacy statutes dictate who inherits your property, who is appointed to administer your estate, and who may be nominated as guardian for your minor children. The statutory distribution rarely reflects what most people would have chosen.

Cohen Cleary drafts last wills and testaments that translate your intentions into enforceable legal instructions. We work with individuals and families across southeastern Massachusetts to build wills that clearly address asset distribution, guardian nominations, and estate administration, coordinated with trusts, powers of attorney, and other planning documents so that nothing falls through the gaps. For many clients, the decision to consult a will attorney in Massachusetts begins with a life event: the birth of a child, a divorce, a move to a new state, or the loss of a family member.

How We Help By Drafting and Updating Your Will

Massachusetts requires that a will be signed by the testator in the presence of two attesting witnesses. That formality is straightforward, but the document itself demands precision. A will that fails to account for non-probate assets, that uses imprecise language around distribution, or that names a guardian without addressing practical logistics can create more problems than it solves.

We tell our clients that the drafting process is where the real value lies. Our attorneys work through a structured intake that identifies every asset class, every beneficiary relationship, and every contingency the document needs to address. That includes:

- Specific and residuary bequests tailored to your family structure and financial circumstances
- Guardian nominations for minor children, including successor guardians and practical guidance for the nominated individuals
- Personal representative selection and powers, calibrated to the complexity of the estate
- Pour-over provisions that coordinate your will with trust planning, ensuring assets are captured even if they were not retitled during your lifetime
- Disinheritance provisions that comply with Massachusetts law, including the elective share protections available to surviving spouses

We also handle will updates and amendments. A will is a snapshot of your life at the time it was signed. When circumstances change (marriage, divorce, the birth of a child, a significant asset acquisition, or a move to Massachusetts from another state), the document needs to reflect that new reality.

Why Clients Choose Cohen Cleary

At Cohen Cleary, our practice teams combine deep subject-matter experience with disciplined execution and responsive client service. We do not take a one-size-fits-all approach. Every matter is handled with careful preparation, clear communication, and a strategy tailored to the client's goals and the realities of the forum.

Clients choose Cohen Cleary because we deliver:

Practice-Focused Legal Experience

Our attorneys work in defined practice areas, allowing us to develop practical insight into the legal, procedural, and regulatory nuances that matter most in each case. This focus allows us to anticipate issues, avoid unnecessary delays, and position matters for efficient resolution.

Clear Guidance and Proactive Communication

We prioritize clarity at every stage. Clients receive straightforward explanations of their options, timely updates on developments, and practical advice grounded in real-world outcomes.

Strategic Advocacy with Trial Readiness

Whether a matter calls for negotiation, mediation, or litigation, our attorneys prepare every case with discipline and foresight. We pursue efficient resolution when possible and are fully prepared to advocate aggressively when necessary to protect our clients' interests.

Regional Knowledge and Local Presence

With offices throughout Massachusetts and experience across New England courts and agencies, we bring local insight and regional reach to every matter.

Client-Centered Service

We treat every matter with urgency and respect. Our clients rely on us for responsive service, sound judgment, and steady counsel through complex legal challenges.

In our estate planning work, this approach helps clients navigate legacy planning with clarity, efficiency, and confidence.

Our Approach to Will Preparation

Dying without a will in Massachusetts means the state decides who inherits your assets. Unmarried partners, stepchildren, and close friends receive nothing under intestacy, regardless of the relationship. The statutory formula is inflexible, and the personal representative appointed by the court may not be the person you would have selected.

Our approach begins with understanding not just what you own, but what you want to happen and what could go wrong. We build wills that anticipate family dynamics, coordinate with existing trusts and beneficiary designations, and hold up under the scrutiny of Massachusetts probate proceedings.

Serving Clients Across Massachusetts and Rhode Island

Cohen Cleary prepares wills for individuals and families throughout Massachusetts and Rhode Island, with offices in [Taunton](#) and [Plymouth](#). Clients who need a wills lawyer to draft their first

estate planning will, and those updating documents that no longer reflect their circumstances, work with attorneys who are familiar with the procedural requirements of probate courts across southeastern Massachusetts, including Bristol County, Plymouth County, and Norfolk County. That familiarity with local filing practices and court expectations ensures that the documents we draft are positioned for smooth administration. We also have the capacity to serve clients across New England.

Schedule a Will Consultation

A properly drafted will is one of the most practical steps you can take to protect your family and your assets. Contact Cohen Cleary to schedule a consultation with a Massachusetts will attorney at our [Taunton](#) or [Plymouth](#) office. We work with individuals creating or updating a will at every stage of life.

Frequently Asked Questions About Wills in Massachusetts

What happens if I die without a will in Massachusetts?

Massachusetts intestacy statutes determine who inherits your property. Generally, your spouse and children share the estate according to a fixed statutory formula. If you have no spouse or children, assets pass to parents, siblings, or more distant relatives in a prescribed order. Unmarried partners, stepchildren, and friends inherit nothing under intestacy regardless of the closeness of the relationship.

Can a will avoid probate in Massachusetts?

No. A will must be submitted to the appropriate probate court and administered through the court process. A will controls how probate assets are distributed, but it does not eliminate the need for court involvement. Revocable trusts, beneficiary designations, and joint ownership are the primary tools for avoiding probate on specific assets.

What is a pour-over will, and do I need one if I have a trust?

A pour-over will directs that any assets not already held in your trust at the time of your death be transferred into the trust for distribution according to its terms. It acts as a safety net, ensuring that assets you may have acquired or forgotten to retitle are still captured by the trust structure. If you have a revocable trust, a pour-over will is a critical companion document.

How often should I update my will?

We recommend reviewing your will after any major life event: marriage, divorce, the birth or adoption of a child, a significant change in assets, or a move to a new state. Even without a triggering event, a review every three to five years ensures that changes in Massachusetts law, tax regulations, or family circumstances have not rendered any provision outdated or unenforceable.