

Signature Page for Will (LA)

by Laura Walker Plunkett, Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, with Practical Law Trusts & Estates

Status: Law stated as of 27 Feb 2023 | Jurisdiction: Louisiana

This document is published by Practical Law and can be found at: content.next.westlaw.com/w-009-0727

Request a free trial and demonstration at: tr.com/practicallaw-home

A signature page that complies with the execution requirements for Louisiana wills, including an attestation clause, signature lines for the testator, and witnesses. This Standard Clause contains integrated notes and drafting tips.

DRAFTING NOTE: READ THIS BEFORE USING DOCUMENT

To be valid, a will (other than a holographic will) generally must meet all of the following conditions:

- A person must be at least 16 years of age to make a donation *mortis causa* (leave a bequest by will) in Louisiana, except in favor of the minor's spouse or children, if any (La. Civ. Code Ann. art. 1476).
- Be in writing.
- Be signed by the testator in the presence of two witnesses and a notary.
- Be signed by two or more credible witnesses in the presence of each other, the testator, and notary.

(La. Civ. Code Ann. art. 1577.)

Louisiana does not authorize self-proving affidavits for wills. However, a Louisiana will requires an attestation clause that must be signed by two witnesses and a notary. The attestation clause effectively serves a similar purpose as a self-proving affidavit in a Louisiana will. A properly-executed notarial testament does not need to be proved to the court (La. Civ. Code Ann. art. 1577(2) and La. Code Civ. Proc. Ann. art. 2891; see Drafting Note, Attestation Clause.)

This Standard Clause provides the signature pages that can be used with a Louisiana will including:

- An attestation clause.
- A signature line for the testator.
- Signature lines for witnesses.

For more information on wills in Louisiana, see [State Q&A, Wills: Louisiana](#).

Bracketed Items

The drafting party should replace bracketed language in ALL CAPS with case-specific facts or other information. Bracketed language in sentence case is optional language that the drafting party may include, modify, or delete in its discretion. A forward slash between words or phrases indicates that the drafting party should include one of the words or phrases contained in the brackets in the document.

Signature Page for Will (LA)

Attestation Clause

PARISH OF [PARISH NAME]

STATE OF LOUISIANA

The foregoing testament consists of [NUMBER OF PAGES IN WORDS] ([NUMBER OF PAGES]) typewritten pages (this page included) and is executed under the provisions of the Louisiana Civil Code articles 1576 through 1580.1, as amended. In our presence, the testator has declared or signified that this instrument is [his/her/their] last will and testament and that [he/she/they] has signed this testament in our presence at the end and on each other separate page (initialing each correction, insertion, addition or interlineation) and, in the presence of the testator and each other, we have hereunto subscribed our names on this [DATE] day of [MONTH], [YEAR], at [CITY], Louisiana.

WITNESSES:

[WITNESS ONE NAME]

[TESTATOR NAME]

[WITNESS TWO NAME]

[NOTARY NAME]

Notary Public

Notary Public ID No. _____

DRAFTING NOTE: SIGNATURE BLOCK

Testator's Signature

In Louisiana, the testator must, in the presence of a notary and two competent witnesses:

- Declare or signify that the document the testator is signing is the testator's testament.
- Sign the document at the end and on every page.

(La. Civ. Code Ann. art. 1577(1).)

Attestation Clause

Below the final signature of the testator, the two witnesses and the notary sign an attestation clause. An attestation clause must be either in the form provided by statute or a substantially similar form.

The sample attestation clause in this document conforms to the statutory requirements. (La. Civ. Code Ann. art. 1577(2).)

Customarily, the testator also signs the attestation clause, but the testator's signature is not a requirement. The testator, the two witnesses, and the notary all must be in the room together as each one signs and no one can leave the room until the last person has finished signing or the testament is an absolute nullity (La. Civ. Code Ann. art. 1577(2)).

Witness Signatures

At least two witnesses must sign the will in the presence of the testator and each other (La. Civ. Code Ann. art. 1577).

Signature Page for Will (LA)

A person cannot be a witness to a Louisiana testament if the person is:

- Insane.
- Blind.
- Under the age of 16.
- Unable to sign the person's name.
- Deaf or unable to read.

(La. Civ. Code Ann. art. 1581.)

Best practice is to avoid having one of the attesting witnesses be a beneficiary under the will. While doing so does not invalidate the will, any legacy in the will

for that beneficiary is invalid, unless the beneficiary would also be an heir in intestacy. If the beneficiary is an heir, they are entitled to receive the lesser of:

- The witness's intestate share.
- The legacy in the testament.

(La. Civ. Code Ann. art. 1582.)

Notary Requirements

The notary and the two witnesses must sign an attestation clause in the presence of the testator and each other (La. Civ. Code Ann. art. 1577).

About Practical Law

Practical Law provides legal know-how that gives lawyers a better starting point. Our expert team of attorney editors creates and maintains thousands of up-to-date, practical resources across all major practice areas. We go beyond primary law and traditional legal research to give you the resources needed to practice more efficiently, improve client service and add more value.

If you are not currently a subscriber, we invite you to take a trial of our online services at legalsolutions.com/practical-law. For more information or to schedule training, call 1-800-733-2889 or e-mail referenceattorneys@tr.com.