**Ecuador Wills**

Ecuador is a Spanish speaking country located in South America. The people of Ecuador have the right to create wills. There are two types of wills Open and Sealed. In order to have an open will it must be given before a notary and their must be five witnesses. In a sealed will it must be executed before a notary, their must be three witnesses and the will must be in an opened envelope Ecuadorean Embassy state that the age of testamentary capacity is that you must be at least 18 years old. Other requirements include mental capacity and you must know how to read and write.

According to ” You may make a will but the procedure of the preparation of the will is performed by a lawyer, which is what makes the minutes (abstract or draft that is a contract or otherwise, noting the essential clauses or parts, to copy and then extend it with all necessary formalities for perfection).” A person can make a will but will need to hire a lawyer to understand and prepare other things needed in a will.

If you are looking to make a will in Ecuador you can contact one of the many lawyers that specialize in Wills. Miguel Andrade Cevallo is a lawyer in Cevallos & Abogados Bac Law Law Firm located in Quito, Ecuador. You can visit their website at <http://www.baclaw.ec/areasucesorio.html> for further information. Their website looks very professional covering different types of practices. The company offer consulting services dealing with Intestate Succession, Testate, Succession by Notary, Litigation, Advice on drafting wills and Nullity probate when handling Wills and Inheritance services.

In Ecuador if a person dies intestate their property is distributed first to their children by representation and their surviving spouse. Adopted children have the same rights as a biological child. Second ,if there is no child the spouse and ascendants receive the deceased estate. The spouse receives 2/3 of the estate and the ascendants receive 1/3. If there is no ascendants or descendants all of the estate will go to the spouse. The whole estate will go to the parents if the decedent does not have a spouse. If the decedent does not have any wife or children the estate would be the full or half brothers would inherit equal shares. In the case of the decedent not having any brothers his estate will go to his nephews. Finally if the decedent does not have any family his estate will go to the state. New York’s laws of intestacy are a bit similar with Ecuador’s estate in the order of who inherit. The first to inherit property under the laws of intestacy in New York would be the decedents spouse and children. Ecuador and New York’s laws both present adopted children’s as their own and will inherit as their own. Next, to the parents and then to their brothers and finally if the deceased does not have any family it will go to the state. Ecuador also uses by representation in terms of brothers/sisters, children and nieces/nephews. The part where they divide to the spouse and ascendants and their share is very different from New York’s laws of intestacy.

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