

§ 31-32-5 Form 1 Revocation Of Living Will

STATE OF GEORGIA
COUNTY OF _____

I, _____, the declarant of a living will dated the _____ day of _____, 20__, do hereby make and publish this revocation of said living will, and to that end, do hereby declare as follows:

1.

It is my present, express intent to revoke my living will referred to above, as well as any and all other living will or living wills by me heretofore made, and I specifically desire and direct that said living will shall be from this moment forward as completely null, void, and ineffectual as if the same had never been executed by me.

2.

This revocation is intended specifically to revoke only my living will as opposed to my Last Will and Testament relating to the disposition of my property after my death, and this revocation shall not in any way operate to impair or revoke my said Last Will and Testament.

3.

I desire and direct that this revocation immediately be communicated to Dr. _____, my attending physician, and to any other physician or physicians who have attended me during the period from the date of the execution of my living will referred to above until the present. I further direct that a copy of this revocation be made a part of my permanent medical record.

IN WITNESS WHEREOF, I have hereunto set my hand, as of _____ o'clock ____ m. on this _____ day of _____, 20__.

Signature of declarant

Witness

(Include the following attestation if the declarant is unable to sign:)

I hereby certify that, acting at the special instance, request, and direction of _____, the declarant of the living will referred to hereinabove, I have dated and signed this revocation on behalf of said declarant, who is unable to sign for himself (or herself).

/s/ _____

(Sign declarant's name)

(Signature of person signing)

COMMENT: O.C.G.A. § 31-32-5 provides for both written and unwritten revocations of living wills, without regard to the mental state or competency of the declarant at the time of revocation. Although the statute does not require a witness to a revocation of a living will, if the circumstances permit, it would be the better practice to secure a witness.

Acts 1987, p. 322, effective April 2, 1987, added to this code section the requirement that the intent to revoke a living will, as opposed to a testamentary will, must be clearly expressed.