
MAKING A WILL



THESE NOTES ARE DESIGNED TO HELP YOU THINK ABOUT IMPORTANT ISSUES WHEN MAKING A **WILL**, IT IS NOT A COMPREHENSIVE GUIDE TO THE LAW. THE LAW CHANGES FROM TIME TO TIME, PARTICULARLY IN RELATION TO TAX MATTERS AND YOU SHOULD ALWAYS SEEK UP TO DATE ADVICE.

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Why should you make a Will?

If you have not made a Will, then your estate would be distributed by the Rules of Intestacy. This would mean that it would pass to members of your family. It is sensible therefore to make a Will so that your estate is distributed exactly as you wish.

If you are unmarried, your partner will get nothing unless you make a Will.

When you buy a house with your spouse/common-law partner, this is usually your greatest asset. If the title of your property is held as **joint tenants**, this means that the property would pass by survivorship on the first death. On the second death, the property would be dealt with under the terms of the Will. If however, the property is held as **tenants in common**, this means that the property is owned 50/50. The share of the deceased partner would not automatically pass to the survivor but would be dealt with under the terms of their Will. It is therefore sensible to make a Will to ensure that your largest asset is dealt with as you would wish.

You also need to make provision for any children you may have under the age of 18 or children who suffer a disability. You should think about appointing guardians for your

children to care for them and make legal decisions on their behalf. You should also take into account any children/dependants from a previous marriage or relationship.

If you have no family and do not make a Will, the whole of your estate would pass to the State. You may wish to consider gifts to friends or charities.

Points for Consideration

Executors - you will need to appoint executors. They will deal with your estate and distribute the assets amongst your chosen beneficiaries. You should choose people who you have confidence in to deal with this, taking into account that you will most probably have personal belongings to be dealt with so distance from you could be an issue.

Funeral - you can make specific funeral requests within your Will.

Legacies - these are gifts of specific items to beneficiaries for example, cash amounts or personal items.

Residue of your estate - this is the remainder of your estate after any debts, funeral and legal costs and legacies are paid. It is sensible to make provision for certain scenarios for example, if you leave the whole of your estate to your spouse but you have no children, you could make provision for the residue to pass to other specified beneficiaries or their children if they have also died before you.

Costs

My charges for preparing Wills are as follows:

Single	£ 75.00
Husband & Wife/Commonlaw Partners	£130.00

If you would like to have a new Will prepared, please download the questionnaire form, complete, sign and return by email to Niki. Please note any concerns you may have on the form and Niki will contact you to give you further advice. A draft will then be sent to you for your approval - once you have approved the content a final copy will be sent to you for signature together with an invoice for settlement.