

Making a Will

Why should I make a Will?

Making a Will is a straightforward process that doesn't take a great deal of time and, once done, gives you peace of mind. A well-drafted Will ensures that your property, money and possessions go to the right people when you die.

What happens if I don't make a Will?

The law lays down rules for those who die without a Will. These rules look at whether you are married, have children, or have surviving parents and siblings. Your estate is then divided according to the rules and which of these people is still living at the date of your death.

If you don't make a Will you have no control as to who will inherit; your spouse for example, may not automatically receive everything when you die and an unmarried partner could receive nothing at all.

Am I wealthy enough to need a Will?

A Will is not just important for items of high value. Some of the most complicated problems arise over sentimental items that have very low monetary value but are extremely important to the surviving family.

If you have children under the age of 18, a Will should be used to appoint Guardians to look after them in the event of your death.

Who will carry out my wishes?

In your Will you should appoint Executors to administer your estate. You can have up to four people to do this; they should be over 18 and ideally living in the UK.

You can appoint a solicitor; this does not have to diminish the involvement of the family but can ease the burden at a difficult time.

When do I need to change my Will?

Your Will should be reviewed at least every 5 years to ensure it still reflects your wishes. If the following events occur you should review it without delay:

- Marriage
- Divorce
- Birth of a child or grandchild
- Death of an Executor
- Death of a Beneficiary

“We would like to thank you very much for providing us with clear and necessary advice.”

How can Shentons help me make a Will?

First, contact us to arrange an initial appointment where we'll discuss your requirements. We'll then advise you on the contents of your will, according to your needs. Then we will prepare a draft Will for you to consider. We can then arrange for you to sign the Will with appropriate witnesses.

If you need a Will to be made very quickly or to be visited at home or in hospital, we can accommodate this.

Case Study

Our Wills, Probate and Trusts team assisted a widow with 2 young children after her husband was involved in a tragic accident.

Unfortunately, he had not left a Will.

In this case the estate was dealt with under the Intestacy Rules. This meant that the estate was split into several parts where the widow received some assets and the remaining estate was placed into Trusts for the widow for lifetime to receive income and for the children until they reach 18 years.

This could have been avoided if the husband and wife had Wills prepared for them preventing the need for the assets to be split into several parts.

This means that, when the children reach 18 and become entitled to their legacy, the widow/mother may have to sell the family home to fund the legacy.

There might be still further complications if the widow remarries or has other children.

We can help you make your Will and advise you regarding Inheritance Tax
Contact one of our Probate team for assistance on 01962 844544