

Wills & Probate

Benjamin Franklin famously said that two of the few certainties in life are 'death and taxes'. Whilst neither subject is particularly pleasant to talk about, both are issues that need addressing and the sooner they are, the better placed you and your family will be to deal with them.

Planning for the future and making a will is one of the easiest and most important steps you can take to ensure your affairs are in order.

Most people in England and Wales do not have a valid will in place. If you fall into this category, then on your death your estate will pass in accordance with the intestate succession laws which are a set of rules, laid down by the government, stating how your estate will be distributed. These rules may not reflect your wishes and can make the administration of your estate much more complicated than it would be if there were a valid will in place.

Making a will can also lead to Inheritance Tax savings and a discussion of other issues such as Lasting Powers of Attorney and organising your estate in such a way to reduce the likelihood of having to sell the family home to pay for care home fees.

When somebody does die, the surviving family will often have to administer the estate of the person who has died. This process is commonly referred to as 'Probate'. Dealing with the estate of somebody who has died can be stressful and there are many pitfalls that somebody, who is not experienced with administering estates, can fall into.

An experienced private client solicitor can add value to the administration of an estate and also ease the burden on surviving family members at a difficult time. This can include discussing the options in relation to a deed of variation which can have tax advantages and assisting with the ongoing running of any trusts contained within a will or as part of an intestacy.

If you have recently experienced a bereavement one of the first things you will need to do is register the death and contact a funeral director. Once this has been completed you should then contact a solicitor to assist with the administration of the estate.

Our team of private client solicitors can assist with all matters relating to wills, Lasting Powers of Attorney and the administration of an estate. The department is headed by Mr Michael Prendergast who is a member of the Private Client Section of the Law Society, Solicitors for the Elderly and the Society of Trust and Estate Practitioners.

If you would like more information on any of the issues covered in this article or would like to arrange an appointment please call our offices on 01695 574 201.



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