



# Making Your Will

## INTRODUCTION

Every adult can and should make a will and should review that will when their personal circumstances change or when there is a change in the law, or a budget change. Making a will is essential to make sure that, in the event of your death, your property is inherited by the people you want. It also allows you to show that you have considered the needs of your family and others. In addition, there can be valuable tax savings. For people with families it is essential to make proper provision for your dependents and to appoint guardians to look after children.

Anyone who dies without a valid will is described as "intestate" which means that management of your estate is passed to court-appointed administrators. The statutory Intestacy Rules determine where your property ends up. This could be quite different from what you want. In particular the Intestacy Rules make no provision for unmarried partners.

If you have assets totalling over £325,000 (with effect from 6 April 2009) then it is also important is to consider Inheritance Tax (IHT), which is the tax payable on the value of your estate on death. If you own your own home and intend to leave all or part of it to your children, grandchildren or their spouses you may also be eligible for an additional relief from IHT.

We are able to advise you on your wills and we are also able to refer you to a specialist for independent financial advice, if necessary.

The person best qualified to draft your will is someone legally trained to do so and who has the required experience. Making a will is too important to leave to do-it-yourself forms from the stationers. A solicitor is impartial and independent and puts the interests of their clients first.

Because wills require a certain amount of formality we want you to understand the need for the information contained in these documents. Therefore this pack consists of a questionnaire so you can tell us of your wishes and notes to provide help with filling it in and give general information.

We hope you find the pack useful. Please fill in as much of the information as possible and we will then discuss any queries you have and finalise the arrangements. If you prefer, please feel free to use it simply as a checklist for things to consider before meeting up with your legal adviser.

**SECTION 1 PERSONAL INFORMATION**

NOTE: It is vital that all information is given. In the case of dependents you should be aware that if you do not make reasonable provision in your will for someone who is a dependent - usually a spouse, child or someone who is financially dependent on you, your will can be challenged. If you are contemplating arranging things in such a way that this may occur please let us know.

Have you made a will before? Yes/No  
If yes, what is your reason for making a new will?.....

**YOU**

Surname .....

Forenames .....

Any other names you are known by: .....

Address .....

.....

Telephone (work/home/mobile).....

Email address .....

What is your preferred method of contact? Post  Email

Date of Birth .....

How would you describe your current state of health .....

Please give brief details of any history of mental health problems .....

.....

Are you (please tick one box):-

- SINGLE
- MARRIED
- IN A CIVIL PARTNERSHIP
- DIVORCED/DISSOLVED
- WIDOWED
- SEPARATED
- CONTEMPLATING MARRIAGE/CIVIL PARTNERSHIP
- COHABITING

If married, in a civil partnership or cohabiting is it to the person whose details are set out below  YES  NO

**YOUR SPOUSE/PARTNER**

Surname .....

Forenames .....

Telephone, if different (work and/or home) .....

Email address .....

Date of Birth .....

How would you describe your current state of health .....

Please give brief details of any history of mental health problems .....

.....

**SECTION 3 CHILDREN**

**CHILD 1**

SURNAME.....

FORENAMES.....

DATE OF BIRTH.....

**CHILD 2**

SURNAME.....

FORENAMES.....

DATE OF BIRTH.....

**CHILD 3**

SURNAME.....

FORENAMES.....

DATE OF BIRTH.....

**CHILD 4**

SURNAME.....

FORENAMES.....

DATE OF BIRTH.....

Are any of the children listed above step-children? If yes, please indicate which. Are any adopted?

**GRANDCHILDREN**

**GRANDCHILD 1**

SURNAME.....

FORENAMES.....

DATE OF BIRTH.....

**GRANDCHILD 2**

SURNAME.....

FORENAMES.....

DATE OF BIRTH.....

**GRANDCHILD 3**

SURNAME.....

FORENAMES.....

DATE OF BIRTH.....

**GRANDCHILD 4**

SURNAME.....

FORENAMES.....

DATE OF BIRTH.....

**SECTION 4 OTHER DEPENDENTS**

NOTE: If you have anyone else who you maintain financially please give the following details. If you fail to make provision for such a person there is a risk of a claim against the estate by that person. If not applicable please go to Section 5.

**DEPENDANT 1**

NAME.....

ADDRESS.....

.....

.....

RELATIONSHIP.....

**DEPENDANT 2**

NAME.....

ADDRESS.....

.....

.....

RELATIONSHIP.....

**SECTION 5 EXECUTORS**

NOTE: The Executor takes charge of administering your estate after death. He/she puts the Will in effect by obtaining Probate (the Court Order that allows the estate to be dealt with). You may select up to 4 Executors. If you only choose one or two you should consider a substitute in the event that one of the originals cannot take the appointment. He or she must be over 18 and someone who is reliable and trustworthy. We offer a partner or partners in our firm to be appointed as an executor if you wish - there is no additional charge for this appointment and we would charge our normal fees for dealing with the estate - it can be helpful to have an independent voice during administration and it means that there is someone whose appointment is not affected by death or other incapacity that may befall the executor. If you are not sure about who to appoint, we can discuss this with you.

**EXECUTOR 1**

**EXECUTOR 2**

NAME .....

NAME .....

ADDRESS .....

ADDRESS .....

.....

.....

.....

.....

TELEPHONE .....

TELEPHONE .....

RELATIONSHIP TO YOU (IF ANY) .....

RELATIONSHIP TO YOU (IF ANY) .....

**EXECUTOR 3**

**EXECUTOR 4**

NAME .....

NAME .....

ADDRESS .....

ADDRESS .....

.....

.....

.....

.....

TELEPHONE .....

TELEPHONE .....

RELATIONSHIP TO YOU (IF ANY) .....

RELATIONSHIP TO YOU (IF ANY) .....

**SECTION 6 FUNERAL AND OTHER SIMILAR WISHES**

NOTE: If you wish to include in your will any particular wishes about burial or cremation, the manner of your funeral or any other specific matters such as donation of organs for medical research etc, please specify below. Please note that funeral/burial wishes are not legally binding so it is a good idea to let those closest to you know your wishes.  
If you have a pre-paid funeral plan, please give details here.

**SECTION 7 GUARDIANS FOR INFANT CHILDREN**

NOTE: You can provide for the appointment of a guardian to care for your child/ren in the event of them being left without a parent. This should ideally be a close relative, who has agreed to accept the responsibility. (Children includes illegitimate children, adopted children but not step-children unless adopted or specifically included by name).

**GUARDIAN 1**

**GUARDIAN 2**

NAME .....

NAME .....

ADDRESS .....

ADDRESS .....

.....

.....

.....

.....

RELATIONSHIP IF ANY .....

RELATIONSHIP IF ANY .....

TELEPHONE NUMBER .....

TELEPHONE NUMBER .....

**SECTION 8 PETS**

NOTE: If you wish to include in your will any particular arrangements for pets, please specify below.

## **SECTION 9 THE ASSET AND LIABILITY LOG**

**NOTE:** Before deciding how to distribute your estate you should list all your property, that of your partner/spouse, property that is jointly-owned and any trust property in which you have a life interest or similar; and the approximate value of each item or group of items. Please include life policies and pension plans.

This will enable you to identify your property and us to know whether tax or other specialist advice is needed e.g. if your estate exceeds the inheritance tax nil rate band, contains business property or agricultural property etc.

Please complete the table below. Feel free to use the back of this sheet if you need more space!

<b>ASSETS (please give details)</b>	<b>Approximate value (you)</b>	<b>Approximate value (spouse)</b>	<b>Tick if owned jointly</b>
House/s (give address and indicate if it is your main residence)			
Contents:			
Car/s			
Jewellery			
Cash Bank accounts:  ISAs			
Quoted shares			
Partnership share or value of a sole business			
Unlisted stocks and shares (e.g. in family company)			
Non UK assets			
Have you taken advice from a local lawyer on how to deal with non UK assets on your death?      Yes      No			
Please give below details of any life insurance policies, pension schemes or policies and indicate who the nominated beneficiaries are:			
<b>Liabilities</b>			
Mortgage/loans			
Debts owed			

**SECTION 10 DISTRIBUTION OF YOUR ESTATE**

**General Points**

NOTE: Age of Inheritance. A child under 18 cannot legally hold property left to him or her and it must be held on trust by the executors until the child reaches 18 or another later age which you choose - usually 21 or 25. Our wills are drawn on the basis that the trustees may advance the capital of the inheritance or use the capital for the child's benefit until that age, if they think there are good reasons to do so.

Also while the child is under 18 the trustees have the discretion to use the income from the inheritance for the child's maintenance, education and benefit or to accumulate it by adding it to the capital. The child has the right to all the income after reaching 18 whether or not you specify a greater age for taking the capital.

**Specific Gifts**

NOTE: These are specific items to named individuals. Any asset not given as a specific gift and which is not used to pay debts, legacies, tax or expenses is part of the residue of your estate.

Item or Items (please specify)	Person to receive
	NAME..... ADDRESS..... ..... RELATIONSHIP IF ANY.....
	NAME..... ADDRESS..... ..... RELATIONSHIP IF ANY.....

**Gifts of Money (known as a legacy)**

Amount (please specify)	Person to receive
	NAME..... ADDRESS..... ..... RELATIONSHIP IF ANY.....
	NAME..... ADDRESS..... ..... RELATIONSHIP IF ANY.....

**Residuary Gift**

NOTE: This is what is left after paying debts, legacies, tax and expenses. You must make a Residuary Gift otherwise you will die partially intestate, which means that your residue will be distributed in accordance with statutory rules that will probably not have the result that you would wish.

You can choose not to make any legacies and the whole of your property will go to the residuary beneficiaries. If this gift is to more than one person, the proportions to be received should be stated. You should also consider a Substitute Residuary Beneficiary in case the first-named cannot inherit.

To whom do you wish to leave the rest of your estate? Please give the names and addresses of beneficiaries and what you wish to leave to them. This is normally expressed in proportions where there is more than one. If children are involved please state at what age you want them to inherit.

**Residuary Beneficiaries**

Amount or proportion (please specify)	Person to receive
	NAME..... ADDRESS..... ..... RELATIONSHIP IF ANY.....
	NAME..... ADDRESS..... ..... RELATIONSHIP IF ANY.....
	NAME..... ADDRESS..... ..... RELATIONSHIP IF ANY.....

**Substitute Residuary Beneficiary**

Please specify an alternative beneficiary or beneficiaries in case the above cannot inherit: