



# VANCE HARRIS LLP

## **Making a Will**

### **A Guide**

Vance Harris have been making Wills for clients for over 40 years.

We pride ourselves in providing a fast and professional service which usually includes two meetings with clients, the first to take your instructions and to discuss your requirements and the second when you sign your Will.

If clients find it difficult to come and see us, we are happy to make Home Visits.

#### **Why you should make a Will**

If you care about what happens to your property and assets after you die, you should make a Will. Without one, the State directs who inherits, so your friends, favorite charities and relatives may get nothing and your Husband/Wife may not receive the whole of your estate.

It is particularly important to make a Will if you are not married to your partner. This is because the law does not automatically recognize partners as having the same rights as husbands and wives. As a result, even if you've lived together for many years, your partner may be left with nothing if you have not made a Will.

A Will is also vital if you have children or dependants who may not be able to care for themselves. Without a Will there could be uncertainty about who will look after or provide for them if you die.

Vance Harris can also advise you if inheritance tax affects what you own.

#### **What Vance Harris will need to know:**

##### **What you own**

Details of everything you own, including property, cars, personal valuables, stocks and shares, bank accounts, insurance policies, any businesses you own, and pensions.

##### **Who gets what?**

Who do you want to leave these assets to? How do you want to divide your property between your loved ones, friends or charities? Are there any conditions you want to attach to these gifts?

##### **Family and other beneficiaries**

Details of your family and marital status. Are you divorced, re-married or living with a partner? Do you have any children or any other dependants? Anyone who depends on you financially can ask a court to review your Will if they feel you have not provided properly for them. If you give us relevant details we can tell you about any legal pitfalls.

##### **Guardians**

If you have any children that may still be under 18 when you die, you may need to name someone as their legal guardian.

## Other wishes

Do you wish to be buried or cremated?

Harris can tell you what changes may be necessary to update your Will.

## Executors of the Will

You must name the people you want to appoint as 'executors' of your Will—the people who carry out the administration of your Will after your death. These could be friends or family members, or professionals such as Vance Harris. A good combination would be a friend or family member and a professional. Ideally, you should choose someone who is familiar with financial matters. Make sure you ask your executors whether they are happy to take on this duty as there are long-term responsibilities involved.

## You should also consider taking legal advice about making a Will if:

- Several people could make a claim on your estate when you die because they depend on you financially.
- Your permanent home is not in the UK or you are not a British citizen.
- You live here but you have overseas property.
- You own all or part of a business.

Once you have had a Will drawn up, some changes to your circumstances (for example, marriage, separation or divorce) can make all or part of that Will invalid or inadequate. This means that you must review your Will regularly, to reflect any major life changes. Vance

## Keeping your will up to date

You should review your Will at least every five years and after any major life change such as getting separated, married or divorced, having a child or moving house—in fact if you divorce this automatically revokes any Will you may have. It is best to deal with any major changes by getting a new Will drawn up, but it is also possible to make minor changes [or 'Codicils'] to your existing Will. In both cases it is best to consult Vance Harris.

## Costs

Vance Harris will provide you with an estimate of costs at the outset.

## Signing the Will

Once the Will has been drawn up it is not effective until it has been signed. There are several rules affecting the signature process which, if not followed correctly, will make your Will invalid. For example, witnesses and their husbands and wives cannot benefit under the Will. We can act as your witnesses.

## Where to keep the Will

It is important to keep your Will in a safe place and tell your executors or a close friend or relative where it is. People often ask us to store their Wills for them. We do not charge for this service

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We do not accept service by fax or e-mail