

Making a Will



'It is so good to know that I have such an approachable and hard working legal representative.'

Wills, Trusts and Probate Client

Our solicitors can help you formalise your wishes in a legal document and advise you on the best way of protecting your assets.

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 **Hegarty Solicitors**



'The advice we received was informed, clear, practical and comprehensive.' A.W

Making a Will

Nobody likes to consider what will happen after their death, but a little thought now could save your family a lot of anguish in the future.

Even the happiest of families can be reduced to arguments when a loved one dies without leaving a valid Will.

Making a Will gives you the opportunity to choose what happens to your estate rather than relying on the legal rules which operate on 'intestacy', which means when no valid Will is left. Too many people leave making a Will until tomorrow, and often leave it too late.

With the complexity of a modern family, it is essential to take specialist legal advice when making a Will to ensure that your wishes may be carried out.

What is a Will?

A Will is a document in which a person appoints Executors to administer his or her estate after their death and directs the manner in which it is to be distributed to the beneficiaries. The document is signed and witnessed and must comply with certain legal requirements to be valid.

Why should I make a Will?

Everyone should make a Will to ensure their wishes are carried out, but more than half of the adult population do not. If a valid Will is not made, you die subject to the intestacy rules. These are statutory rules which have financial constraints and are rigid in their application.

For more information visit [hegarty.co.uk/wills](https://www.hegarty.co.uk/wills)

What happens if I don't have a Will?

If you die without a Will this is called 'intestate' and the division of your estate is determined by law.

If you are married or in a civil partnership with children and die without a Will, your husband or wife will receive the first £322,000 (or everything if the total is less) plus one half of any balance over the £322,000. The children will receive the remaining half. Most assets held jointly will pass automatically to the other owner(s) and not pass under the Will. There are ways to change this.

Where a person dies without a Will leaving a spouse/civil partner but no children, the whole estate passes to the spouse/civil partner. If you are not married or in a civil partnership and die without a Will your partner is not legally entitled to anything when you die.

If you die without a Will with no living close relatives your whole estate will belong to the Crown or government.

It is also worth considering that if you do not have a Will any Inheritance Tax that your estate has to pay might be higher than it would be if you had made a Will.

What can I include in my Will?

- You can make arrangements to provide for any children
- Give specific items or amounts of money to people or charities
- If you run a business you can decide what happens to your interest
- You may be able to carry out some Inheritance Tax Planning
- You may be able to mitigate the survivor's exposure to care home fees
- You may be able to pass assets to grandchildren, skipping a generation for Inheritance Tax Planning

How much will it cost?

Our standard charge for a single straightforward Will is £350+VAT. A straightforward Will is one that does not contain Asset Protection Trusts or Discretionary Trusts or require Inheritance Tax planning advice or require advice about the Will being challenged/contested. If straightforward Wills are required for a married couple or civil partners then our standard charge is £600+VAT (i.e. where Wills are almost identical). If you would like an idea of the costs for more complex (i.e. not straightforward) Wills, please contact us for a quotation.



'It is a huge relief to know we have made provision for the future.'

For more information visit [hegarty.co.uk/wills](https://www.hegarty.co.uk/wills)

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Peterborough

48 Broadway
Peterborough, PE1
1YW

01733 346 333

Stamford

10 Ironmonger
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01780 752 066

Oakham

66 South Street
Oakham, LE15
6BQ

01572 757 565

Market Deeping

27 Market Place
Market Deeping,
PE6 8EA

01778 230 120



www.hegarty.co.uk | enquiries@hegarty.co.uk