

WHY YOU SHOULD HAVE A WILL?

Many people die without making a Will, which can cause real problems for loved ones because the deceased's true wishes are unknown. If you die without a Will, you are deemed to have died 'intestate' and the law - rather than you - decides who inherits your estate.

It is crucial that your Will is geared around your own personal circumstances. Your circumstances may be simple where you would like to provide for certain family members. Alternatively, you may wish to provide for a spouse* but at the same time protect the inheritance of children from an earlier marriage.

If you leave a Will, you can:

- Decide how much money is left to each of your family members
- Specify who will become the guardians of your children
- Pass your estate to an unmarried partner
- Choose who you want to be the executor of your Will
- Leave something to charity
- Give a memento, like a piece of jewellery, to a treasured friend

YOUR WILL IS IMPORTANT IF

1. **You are married or in a civil partnership** - many married people believe that on their death, all their assets will automatically pass to their spouse*. In fact, depending on the size of the estate, if there are children the spouse* may only inherit personal items and the first £270,000. The rest of the estate may not pass to their spouse*, children or other relatives as you might expect.
2. **You are divorced** - making or updating a Will is particularly vital if you are going through a divorce as details of your executors, beneficiaries and guardians etc. will need to be reconsidered.
3. **You have a civil partnership** - a registered civil partnership is similar to a marriage and the usual intestacy rules apply. Therefore it is very important that couples in a civil partnership write a Will.
4. **You live with a partner** - contrary to popular belief, an unmarried partner or civil-partner has no automatic right of inheritance at all. A Will is the only way to make sure your partner is left what you want them to receive.
5. **You have children** - a Will allows you to say who you wish to be the guardians of your children otherwise the courts decide.
6. **You are single** - if you don't have a Will, your family or dependants may need to challenge the intestacy rules, which may cost them a considerable amount of money.

EstAd/Will Service/ 5/20/5

WHICH WILL SERVICE IS RIGHT FOR YOU?

To determine whether our **Standard Wills Service, Estate Planning Service or Advisory Service** is right for you, please answer the following questions:

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| 1. Are you enquiring about making a Will on behalf of someone other than you or your spouse/civil partner? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 2. Do you have any medical issues which affect your mental capacity? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 3. Have you been married/in a civil partnership before, do you have children from a previous relationship, or are you maintaining any person other than your spouse/civil partner or your children? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4. Do you require advice on inheritance tax (or on other taxes) or advice regarding the joint ownership of property? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 5. Does your estate contain any business assets, unquoted shares, agricultural property (including woodland), Lloyds underwriting assets, foreign property or interests under trusts? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 6. Do you want to impose specific restrictions on gifts, or leave all or part of your estate in trust for the purpose of protecting your assets from issues such as divorce, remarriage, care fees, benefits, disability, bankruptcy or malign influences? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 7. Were you born outside the UK? And/Or are you likely to be considered domiciled outside the UK for inheritance tax purposes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 8. Do you need your Will to be executed within 48 hours due to a holiday or an expected stay in hospital? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

If you answered 'no' to all of the above questions, our Standard Wills Service may be suitable for you.

If you answered 'yes' to any of the above questions, our Standard Wills Service may not be suitable and you may need our Estate Planning Service or Advisory Service consultation to implement a more complex estate plan.

For a full breakdown of all our Will services and fees, please read on.

The following may be of interest...

Our free '**Protecting Your Family Assets**' seminars which provide general information on making Wills, Lasting Powers of Attorney, Inheritance Tax and Community Care issues. These are held on the second Thursday of every month and are designed to be an information giving exercise without any obligation. You will have the opportunity to ask our legal team questions at the end over a glass of wine and a sandwich.

Visit www.cwj.co.uk/seminars for more information and to book or contact **Benjamin Mercer** on **01689 887861** or email benjamin.mercer@cwj.co.uk

STANDARD WILLS SERVICE

We have designed this Service to cover a number of straight forward, typical situations where there is not a requirement for complicated or unusual provisions, including:

- Couples who wish to leave their respective estates to each other and, failing that, to their children;
- Couples who wish to leave their estates to each other and failing that to one or more named beneficiaries; and
- An individual who wishes to leave his or her estate to named beneficiaries.

In each of the above situations, the Wills can include provisions disposing of personal effects, leaving a reasonable number of cash legacies, stating funeral wishes and where relevant ensure the appointment of guardians.

After the meeting we will prepare the Will(s) and send the finished product to you for signature with full instructions on how to sign. If you prefer, we can oversee the signature of the Will(s) at our offices and provide the necessary witnesses. If additional meetings are required, these will be charged at your lawyer's hourly rate.

Fees for our Standard Will Service

- Single Will £290 plus VAT
- Couple mirror image Wills £400 plus VAT

- 1.** Fees quoted are valid for 30 days from receipt.
- 2.** The fees quoted do not include any subsequent work, such as amending your Wills to reflect a change in your instructions or the drafting of additional documents, such as letters of wishes or notices of severance.
- 3.** Additional advice not included in the Standard Wills Service (such as tax planning) will be charged on the basis of time spent at the lawyer's hourly rate with your prior agreement.
- 4.** All of our consultations are face to face. Consultations outside our office can be arranged but an additional charge will be made for the time spent travelling, plus expenses.

ESTATE PLANNING SERVICE

An Estate Planning consultation with one of our experienced lawyers, is designed for people with more complex personal circumstances, including:

- Couples with children from previous relationships where, typically, each spouse* would like to provide for the other but protect their children's share of the assets;
- Where Inheritance tax and asset protection advice is appropriate and it is necessary for your Will(s) to include additional tax saving and asset protection provisions, such as a life interest trust, rights of occupation, discretionary trusts and letters of wishes; and
- Where advice is required in relation to joint property ownership or the right to reside in property.

After the meeting we will prepare the Will(s) and send the finished product to you for signature with full instructions on how to sign. If you prefer, we can oversee the signature of the Will(s) at our offices and provide the necessary witnesses. If additional meetings are required, these will be charged at your lawyer's hourly rate.

Fees for our Estate Planning Service

- Single Will £460 plus VAT
- Couple mirror image Wills £800 plus VAT

1. Fees quoted are valid for 30 days from receipt.

2. All of our consultations are face to face. Consultations outside our office can be arranged but an additional charge will be made for the time spent travelling, plus expenses.

ADVISORY SERVICE

An Advisory Consultation with one of our experienced lawyers is designed for people with extremely complex personal or business circumstances and where advice is required regarding:

- Inheritance tax and asset protection advice where lifetime planning and the use of trusts for asset protection and tax planning is needed;
- Setting up an asset protection trust for a vulnerable and/or disabled beneficiary;
- Business protection and succession planning, and inheritance tax advice on agricultural and business assets;
- Potential claims against your estate or work arising from concerns about your mental capacity to make a Will;
- Domicile issues affecting the drafting of your Will(s) and general advice relating to foreign property;
- Your Will needs to be executed within 48 hours e.g. at short notice prior to a holiday or an upcoming operation.

Provided you are happy to proceed with the Advisory Service, your lawyer will take a full note of your wishes and confirm the likely time estimate and costs involved to advise you fully and to prepare any necessary documentation. In order for your lawyer to advise you fully they will expect you to bring to your initial consultation the following documentation, where applicable:

1. Copies of the memorandum and articles of association and shareholders agreement of any private company in which you hold shares;
2. A copy of any partnership agreement where you are involved in a partnership;
3. Full disclosure of the type of assets in your estate and the likely values;
4. Copies of any foreign Wills with any necessary translations.

Where applicable, until the documentation in points 1-4 above are produced, we cannot give advice in relation to the relevant issue.

If your mental capacity could be called into question, a full psychiatric report may need to be obtained from a medical professional to prevent problems arising in the future. With your prior agreement, your lawyer can arrange for suitable quotes to be obtained.

The fees for our Advisory Service will be applied on a time spent basis at your lawyer's hourly rate.

The current hourly rates of partners and staff are as follows:

Partners	£275 to £325 plus VAT
Senior Lawyers, Solicitors, Legal executives or other lawyers	£200 to £275 plus VAT
Trainee solicitors or legal assistants *not solicitors	£135 to £200 plus VAT

The rates given above are exclusive of VAT and are usually reviewed at the end of each year. We will notify you of any changes.

*Spouse refers to married couples and civil partners

If you would like to go ahead with a Will please visit our website www.cwj.co.uk and download the appropriate questionnaire, then email the completed questionnaire to jeremy.wilson@cwj.co.uk or post to: Valiant House 12 Knoll Rise Orpington Kent BR6 0PG