

### I would like to make a Will. What should I do next?

We recommend that you speak to one of our solicitors or legal executives about making your Will. Our professional advisers have several years of Will drafting experience and will be able to consider your own personal circumstances and prepare a document which is "tailor made" to suit your needs.

We will:-

Meet with you to discuss your wishes (we can arrange home or hospital visits if you are unable to get to our office)

Consider any other issues that may affect you (i.e Tax, Nursing Home fees, trusts etc)

Prepare a Will and let you have a draft with a letter explaining each clause

Arrange to meet with you again to sign your Will once you are completely satisfied

Arrange to have appropriate witnesses available when you sign your Will

If you wish, place your completed Will in our strong room (free of charge) and let you have a copy

Call us to discuss your will requirements. We will not charge you for the initial telephone call and will be able to tell you what you need to do and approximately how much it will cost.

Please also visit our website at [www.dfjlaw.co.uk](http://www.dfjlaw.co.uk) where you will find further information about our people, the services that we offer and how to find us.

## Do I need to make a Will?

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**PLEASE ASK IF YOU REQUIRE A LARGE  
PRINT VERSION OF THIS LEAFLET**

## Making a Will

Making a Will and keeping it up to date is the only way to ensure that your assets are distributed as you wish when you die. In the UK it is estimated that fewer than 50% of people have made a Will.

Many people do not make a Will because they do not think that they will need one. Below are some common questions that people ask us and on the opposite page a flowchart which explains what might happen to your estate if you do not make a valid Will.

### I want to leave everything to my spouse/civil partner. Do I need to bother making a Will?

Yes. If you do not make one then your assets will be distributed in a way that is set out by the law. This is called "Intestacy". Your money will not all necessarily pass to your spouse or the people you want it to and if you do not have any close relatives then it may pass to the Crown. The flowchart on the opposite page shows how Intestacy works.

### My spouse/partner and I are worried about future nursing home fees. Is there anything we can do to protect some of our assets?

Yes. It may be possible to protect some of the assets in your estate by preparing a Will. This is particularly the case if you own your home in joint names. Please speak to one of our legal advisors if you would like more information.

### I am concerned about Inheritance Tax, is there anything I can do to reduce the amount of Tax that my beneficiaries will have to pay?

Yes. There were changes to the rules on Inheritance Tax in October 2007 which means that married couples and those in civil partnerships may now double up their tax free amount on the death of the second spouse/civil partner. We would be happy to discuss how this new legislation will affect you and whether there are other ways to reduce your tax bill.

### I am not married but have a "Common Law Spouse". Do I need to bother making a Will?

Yes. If you are living with someone and are not married or in a civil partnership, then unless you have made a Will, your surviving partner will not be entitled to anything. This could cause distress and hardship to your partner or family. The flowchart on the opposite page explains how your estate will be distributed if you have not made a valid Will.

### I am married but have children from a previous marriage or relationship. Is there a way that I can protect my children's inheritance and ensure that I provide for my new spouse/partner?

Yes. You can set up a "trust" in your Will which will benefit your spouse/partner during their life. When they die your children or other family members can receive all that is left in the trust. Trusts may also be used to protect money passing to a minor, a disabled child or a child that is going through a divorce or bankruptcy. There are many different kinds of trusts available and you should speak to a professional about which is the right trust to suit your wishes and the needs of your beneficiaries.

## Intestacy Flow Chart

