

Do I need a Will?

A comprehensive guide to Will writing

For many of us, death, or the prospect of death is something they would rather not think about. We know from discussing with our clients that some people are not very comfortable around death, whether it's thinking about your own or preparing for a loved one's. For these reasons we put off making a Will. However, someone will be left with the stress of sorting out your estate and will need to take care of your property and affairs. Therefore making a Will should be viewed as a positive. If you don't have a Will, your money, property and possessions will be shared out according to the law, instead of your wishes.



What is a Will?

A Will is a written document which directs how a person's possessions and estate will be distributed when they die. Among other requirements, a Will may appoint executors to administer an estate, name a guardian for a child, and/or make arrangement for payment of duties.

Do I Need a Solicitor to Make a Will?

No, you do not need to appoint a Solicitor to make a Will, however it is advisable. A solicitor will check a Will you have drawn up to make sure it will have the effect you want. This is because it is easy to make mistakes and if there are errors in the Will, this can cause problems after your death. Sorting out misunderstandings and disputes after your death may result in considerable legal costs, which will reduce the amount of money in the estate. A Solicitor can also offer valuable advice on your Will, help draft your Will, meet with you to get the Will signed and store the original for you on your behalf.



Why make a Will?

A Will is one of the most important legal documents that you will ever sign. By making a Will you will be able to retain some control into what happens to your estate after you have died. When you die your property and affairs will need to be dealt with. If you die without making a Will, the choice of how your possessions and estate is dealt with is taken away from you. Whilst professional legal advice can't stop the inevitable it can help you control what comes before and what happens after.

There are benefits you can gain by creating a Will, and seeking legal advice when creating one:

- It will give you peace of mind knowing your possessions and assets are being left to the ones you intend
- It will allow you to decide who will be in charge of your affairs after you're gone
- If you're unmarried, it will protect your family
- For those with more complex families, whether this involves 2nd/3rd marriages and/or children from previous relationships, a Will provides certainty that your wishes will be carried out and ensures members of your family will not be overlooked
- You may have to pay Inheritance Tax, but that could be reduced if you seek legal advice
- A Will makes the whole process of passing away easier for your loved ones to deal with
- A Will can provide guidance on what specific arrangements are made for your funeral
- You can protect your assets for future generations in your family with a Property Trust
- It can protect your digital assets such as photos, websites, online purchases, emails and social media accounts
- You can even decide what will happen to you pets



I have nothing to leave

You do not need to be wealthy to make a Will. Many people own their own homes, have life insurance and bank accounts. A Will can also include:

- Provision for the care of your children if they are under 18 at the time of your death
- Persons of your choosing as the Executors (the people responsible for distributing your estate in accordance with the wishes in your Will.)
- Specific arrangements for your funeral wishes
- Provision for your pets
- Wills can include 'Discretionary and Disability Trusts' to make provision for vulnerable beneficiaries who may not be able to manage their own finances and affairs
- Asset Protection Trusts to help secure assets for future generations, such as a Property Trust.



A Will is something everyone should have however making one can be daunting. This is where Howells Solicitors can come in.

Wills, Trust & Probate Team

Our Wills, Trusts & Probate specialists are normal, down to earth people and can support you to create a Will and make special arrangements for your family. We have fixed fees on Wills and offer a free initial 15 minute consultation.

Contact us:
9am – 5pm
Monday – Friday

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