

# we keep you informed

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## ***Making a Will: Don't leave it too late!***

**Latest research conducted by the Law Society has revealed that 44% of people in the South West do not have an up to date Will.**

No one likes to think about death or the effect on those left behind. Often people think they are too young or not rich enough, or assume that their wishes will be automatically catered for.

It is never too early to make a Will but all too often it is left too late.

**If you don't make a Will or your Will is invalid**, your assets will be distributed in a way that you may not wish particularly if the following circumstances apply:

- *You are married or in a civil partnership and have children and you wish your spouse/civil partner to inherit all of your estate*
- *You are living together but are not married or in a civil partnership, and wish your partner to inherit some or all of your estate*
- *You have no living relatives and wish to leave your estate to your friends or to a charity (the Crown may take your estate if you die leaving no Will and no surviving relatives)*
- *You are married or in a civil partnership and you don't wish your spouse/civil partner to inherit anything*
- *You are married or in a civil partnership but have no children*
- *You are married or in a civil partnership and have children from a previous relationship and you wish to ensure that your children receive something from your estate*
- *You have dependant relatives such as children under 18, elderly relatives or relatives with a disability who have special needs, and you want to make sure they are looked after and provided for*
- *Your estate is large and may be liable for Inheritance Tax*

**If you don't make a Will then:**

- *You will have no control over who will inherit your assets*

- *Spouses may not receive everything*
- *Charities, friends and unmarried partners will definitely receive nothing*
- *You will have no control over who looks after young children*
- *Your estate may be burdened with Inheritance Tax*
- *Any special wishes as to burial or cremation or donation of organs for transplanted will not be effected*

You can write your own Will but even in the most straightforward cases, serious mistakes can be made and your family may need a great deal of assistance sorting out the mess left behind. A simple Will can be prepared inexpensively by a qualified Solicitor and the cost of doing nothing may be considerably greater.

If you have already made a Will, we recommend that you review it every five years. The Law Society highlights the following circumstances which could require a change being made to an existing Will:

- *Divorce or separation*
- *Selling of an asset such as a property*
- *Purchasing a large asset, such as a second home*
- *Having children*
- *Debt*
- *Starting a business*

**Ian Shipton and Jenny Brading** of Powells are both qualified Solicitors and Trust Estate Practitioners, and can advise you how best to provide for your family, point out any difficulties that may arise and suggest ways of dealing with them. Jenny is also a member and Regional Secretary of Solicitors for the Elderly.

For further information please contact:

**Ian Shipton** 01934 637 914 shipton@powellslaw.com  
**Jenny Brading** 01934 637 916 brading@powellslaw.com

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contact  
01934 623 501  
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**POWELLS**  
solicitors + advocates

7-13 Oxford Street  
Weston-super-Mare  
North Somerset BS23 1TE

Tel: 01934 623 501

DX: 8405

Fax: 01934 635 036

Email: info@powellslaw.com