

## Your Legal Questions

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**Q** My husband recently died and I have just been informed that his Will left nothing for me. Is there something I can do as I had expected to receive something from him when he died?

**A** When a person dies they are entitled (to a certain extent) to leave their estate to whomever they wish. There are however certain classes of people who are able to bring a claim against the estate if they have not been adequately provided for and a spouse is one of them. The rules relating to this area can be found within the Inheritance (Provision for Family and Dependents) Act 1975 ("the 1975 Act"). If you answer yes to the following three statements then it is likely that you will be able to bring a claim against the estate for a financial provision.

1. Your Husband treated either England or Wales as his permanent home.
2. You were the spouse of the deceased.
3. You did not receive a reasonable financial provision from his estate under the terms of his Will.

Other classes of people can bring claims under the 1975 Act and if you are a close family member of the deceased or you were financially dependent on them prior to their death then you may also be able to bring a claim.

There is a strict time limit for bringing a claim under the 1975 Act as you only have six months from the date that the Grant of Probate was issued to make your claim. Given this it is important that you seek legal advice as soon as possible as you may be barred from bringing a claim if this deadline has passed.