

Will You?

WILLS | TRUSTS | POWERS OF ATTORNEY



Points to Consider Before Your Meeting

Point 1 *Who do you want to act as Executor?*

The Executor(s) is the person or people who will administer your estate and deal with probate. So they should be trustworthy and reliable.



Two Executors are better than one, because if your appointed Executor passes away or is otherwise unable to act at the time of your death there is someone left to act as Executor. You may appoint up to four Executors.

If you are married, in a civil partnership, or partnered, your spouse or partner can be the sole Executor. It is then wise to add a substitute Executor to act if you both died. If your children are over 18, they can be appointed as Executors.

You can appoint a Professional Executor such as a Trust Company or solicitor who will charge for their services at the time. This can avoid family conflicts and will ensure that the estate is distributed in accordance with your wishes and the law.

Whoever you choose, you should check that they are happy to act.

Point 2 *Choosing Guardians for any children*

Writing a Will is one of the few ways that you can choose Guardians for your children. A Guardian is someone you have named in your Will as the person you would like to be responsible for your children if they are orphaned before reaching the age of 18.

If you fail to appoint Guardians in your Will, and both parents die before the children reach 18, the Courts will appoint Guardians instead.

They may not necessarily appoint the people that you would have preferred to take care of your children and that may involve foster parents or Local Authority care.

Please choose a Guardian or Guardians. You can also appoint a substitute Guardian if the first person or people are unable or unwilling to act. Please check that they are happy to act.



Remember this only applies if both parents have died.

Point 3 *Making Gifts*

You can make gifts in your Will of specific items or sums of money. Think about whether you would like to do this. If they are items please make a list, ensuring that it carries an exact description of the item. For example: not “my gold ring”, instead “my 22ct gold ring engraved ‘with all my love’.” You could even take photographs of the item to help the Executor(s) and reduce the risk of confusion. Charities can be included in your Will as gift recipients.



Point 4 *Who is to inherit?*

You have usually already decided this one, but if not, you need to decide. It can be any number of people or charities, in any number of shares.

Just to finish, here is something to think about... who would you want to inherit your estate if all your intended beneficiaries had died before you? This is known as the Disaster Clause. Remember... if you are married or doing mirror wills, it is your joint estate that is applied to the Disaster clause.



Point 5 *Your Funeral Wishes*

It is possible to express in your Will your wishes for your funeral and how your body is to be dealt with on your demise. Please think about whether you may want to be buried or cremated, and any other special wishes, e.g. location of burial or scattering of ashes.



Your Notes

Point 1

Point 2

Point 3

Point 4

Point 5
