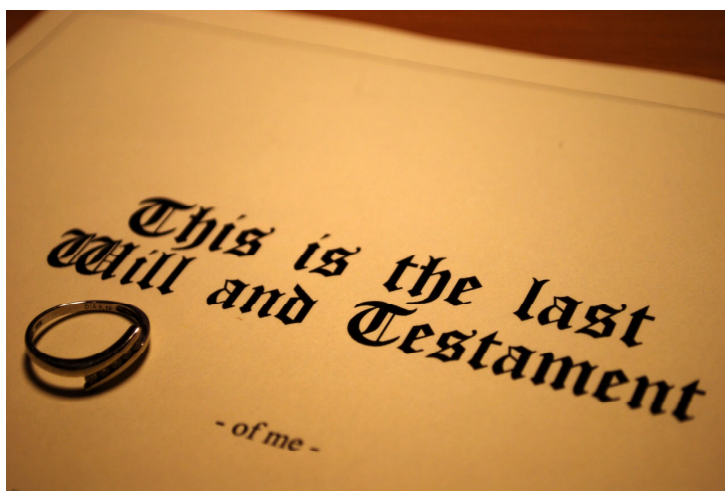




Why Should I Make A Will?

A Public Information Leaflet



The Society of Will Writers & Estate Planning Practitioners

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Why you should make a will

MAKING A WILL is the only way to ensure that your wishes are carried out after your death. If you have not made a valid Will, your property will pass according to the rules of Intestacy. This may not be what you would have wished. In any event it is likely to take longer to finalise than if you had made a valid Will. During this time your beneficiaries may not be able to draw any money from your estate. It can mean arguments and distress for your relatives. Making a will lets your loved ones know that you cared enough to 'sort things out' in advance.

IF YOU are a single person you may wish for your estate to be distributed amongst friends; relatives; charitable bodies or institutions of your choice and in the proportions as specified by you.

IF YOU are married or in a civil partnership do not presume that your other half will get everything. Your siblings or parents may have a claim against your estate. Often, your children will have a right to part of your estate. If you are living as an unmarried couple you could be treated as a single person with your surviving partner receiving nothing at all. One thing you can be certain of - there will be arguments and disputes at a time when the family should be coping with the loss of a loved one.

IF YOU are a parent, you may wish to consider who would look after your child/children in the event of your death. This is particularly important for single-parents and unmarried fathers without parental responsibility (PR) for births prior to December 2003. A valid Will nominating guardians is invaluable in such cases. If no one knows what you would have wanted, the Court will decide on the future of your children, and it may not be what you would have wished.

IF YOU have retired maybe you made a Will a long time ago. It probably needs updating to include additional grandchildren or deletion of persons whom you no longer wish to leave anything to.

A Will brings security reassurance and above all peace of mind - not just for you, but for all those who depend on you, either now or in the future.

Why you should use a Will Writer who is a member of The Society of Will Writers

The Society of Will Writers is a non-profit making body which exists solely to:

- ◆ Raise the public's awareness of the importance of making a Will
- ◆ To act as a non-profit making, self-regulatory organisation seeking to ensure it's members are professionally trained and fully competent.

As soon as you have decided to make a Will - and the sooner the better! - you may prefer to discuss your personal affairs within the comfort and privacy of your own home. There are many will writing services advertised but it is vital to choose one that is a competent and professionally trained will writer possessing the necessary skills, expertise and experience.

All members of the Society of Will Writers must go through stringent vetting procedures and are required to undertake 16 hours of Continuing Professional Development (CPD) per year as a necessary condition of their membership. This ensures all our members keep up to date with changes in legislation and legal developments to ensure the development of their skills and knowledge.

Anyone can call themselves a will writer - you can even 'do it yourself' with a 'kit' from well known stationery suppliers. But only a properly trained professional can ensure that your will is correctly drafted. Home made and badly drafted wills can be disastrous consequences with unintended consequences occurring all too often, in most cases being worse than dieing without a valid Will at all.

Don't be afraid to ask the will writer if he or she is a member of the Society of Will Writers. They will have a business card which shall display one of the following sets of Designated Letters, awarded by the Society: **AFF.SWW; MSWW; ASWW and FSWW**. These demonstrate to the public our standing in education, development and training. If your will writer cannot show you this, **think again**.

Why risk your entire estate to be dealt with under a will drawn up by anyone other than a trained professional? If in doubt about the credentials of your will writer, or to obtain the name(s) of a member(s) in your local area, call our

Free Phone number: 0800 838270

Wills through the ages

Many years ago wills have been the cause of family feuds, fraud and other criminal activities ranging from forgery to murder. Such activities have made lawyers extremely wealthy, rectifying the mess. As such the law, as it is today, relating to wills is somewhat rigid and often complex.

Incidentally, the law varies from one country to the next. If you own land, outside England or Wales, you should ensure that you seek advice from an expert in that country, on disposing of that land on your death in accordance with the local law. In such circumstances, you should have a will drafted to deal with foreign property, distinct from your UK will (if you also own land in the UK).

Many years ago, Wills were simply deathbed statements made in confidence to a priest. It is worth noting that the church seemed to inherit a strangely large proportion of estates in those days! Eventually, two witnesses were required to hear the deathbed statement and the church got poorer. 'Verbal wills', even when witnessed were even then open to abuse and/or arguments. As such it became compulsory for the will to be in writing and witnessed by two people. Nowadays the witnesses must not be any person whom is named to inherit anything in the will.

Even today, the with the legal safeguards in place have wills are still successfully contested in the Courts. This can come about if a Will, maybe written many years ago does not take into account things that have happened which may have caused the Will to be written differently. The argument is that if the deceased could be brought back to life, he or she would have changed the Will to take the events into account. Sometimes this argument works, sometimes not. However it makes the point that it is important to review your Will from time to time. The argument that a Will represents the true wishes of the deceased is far stronger if the Will was made or reviewed a few years prior to death than if it was made many years ago when the family membership may have been very different.

There is no need to worry - If You Do Not Have a Will- The State Has One For You - It will Not Be The One You Want and Certainly shall Not Reflect Your Wishes.

Your local Society Member is:

[Adam Johnson BSc Hons MA ASWW DipPFS](#)
[Heritage Will Writing](#)