

Divorce and Your Will

If you are married and you are separating or divorcing have you thought about what happens to your assets if you were to die suddenly? If not, then maybe you should do now. This leaflet will explain how Warners can help you with your Will.

I already have a Will. Do I really need to make a new one?

If your Will was made prior to your decision to divorce or separate then yes you do. The same may apply if you made your Will prior to living with your present partner.

But I have never had a Will. Why do I need one now?

If you are divorcing or separating, it is almost inevitable that assets will be divided between you. However, until that division has taken place, either by agreement or by a court order, you may wish to protect your share of those assets.

If you are living with someone but are unmarried, they will not benefit at all from your assets, unless you have made a Will specifically detailing them as a beneficiary.

If you have been living together for several years circumstances change and you may have made financial contributions to your joint assets which are not reflected properly.

Whatever your situation, we have the experience to provide you with advice which will ensure that your assets are dealt with in accordance with your current wishes.

What can a Will do for me now?

- It can make clear what your husband, wife or partner is entitled to from your estate.
- It can provide for your children.
- It can appoint the people you want to look after your estate.

- It can provide a means of appointing guardians for your young children.

- It can minimise the effects of inheritance tax on your family.

This list is not exhaustive, and we are happy to discuss your individual requirements in more detail.

But I am already in the midst of divorce or separation. Is it too late?

No...it is never too late to make a Will. Make an appointment straight away!

How much will it cost me to make or update my Will?

A straightforward Will is surprisingly inexpensive and will give you peace of mind for the future.

We would be happy to offer you a short initial consultation free of charge and will be able to quote a fee without obligation.

Why do I need to use a solicitor?

Solicitors use their expertise in preparing a Will with knowledge, not only of the law of Wills, but also the laws of property, trusts and tax, all of which may have a direct bearing on how your Will should be drawn up.

If you draw up your own Will, the danger is that you may unintentionally use language that will misinterpret your intentions. This may cause more problems than leaving no Will at all.

If a bank prepares your Will, they often insist on also acting as an executor. Their fees for doing so are usually much higher than those charged by your solicitor.

How can Warners help?

■ Impartial advice

We will help you to clarify your own ideas; you may not have thought of all the eventualities for which your Will needs to cater. Perhaps most important of all, we will provide you with unbiased independent advice.

■ Home Visits

We are always prepared to make home visits by arrangement if it is difficult for you to come to one of our offices.

■ Will storage

Warners are happy to retain your original Will in our strongroom without charge, and will supply you with a copy or copies for your records.