



Dickins Hopgood Chidley

SOLICITORS

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Why make a will?

If you die without leaving a valid Will, then the law decides how your estate is distributed, regardless of any wishes you had or promises you made during your lifetime.

The Intestacy Rules

If you are married, or registered civil partners, and have children

If your estate is worth less than £250,000 then your husband or wife gets everything.

If your estate is worth more than £250,000 then your husband or wife will get £250,000, all personal belongings and one half of everything over this sum. Your children would be entitled to the other half of the sum over £250,000, equally between them if more than one, held on trust until they are 18. Should any of your children die before you, then their children would be entitled to take their parent's share.

If you are married or civil partners and have no children

Your husband or wife receives your entire estate.

If you are not married but have had children

Your estate will be shared between your children equally but it will be held on trust until they are 18.

If you are not married and have no children but do have surviving relatives

Your estate goes to your relatives, depending on who survives you, in this order of priority: parents; brothers / sisters;



half brothers / sisters; grandparents; aunts / uncles; half aunts / uncles.

If you are not married and have no other relatives

Your estate will go to the Crown.

The intestacy rules do not recognise "common law" partners, and "children" includes adopted and illegitimate children but not stepchildren.

Everyone should have Will, but it is of exceptional importance if:

- you have been married more than once;
- you have young children for whom guardians should be appointed;
- you want to provide for a child who is not your own;
- you are separated or divorcing;
- you run a business and wish to plan for succession.

Making a Will is the only way to make sure that your wishes are carried out after your death. We offer a bespoke Will-making service, and we ensure that we take the time to discuss all aspects of your assets and potential estate before we start to prepare your Will. We are happy to answer any questions you may have relating to inheritance tax and trusts, legacies and residuary gifts. We will provide you with a draft of your Will and explain it fully to you, giving you the peace of mind of knowing that your estate will be handled in the way you wish if the worst were to happen.

Example

Mr James has a daughter and Mrs James has two sons, both from previous marriages. Mr James has not had time to think about making a Will, when sadly he has a heart attack and dies aged 62 years.

His estate is worth £220,000 and passes to his wife. Mrs James survives for only a further 3 months before passing away suddenly, without making a Will.

Her estate, including the £220,000 she inherited from her late husband, passes under the laws of intestacy to her two sons. Mr James' daughter receives nothing.

There are mechanisms for Miss James to make a claim from the estate for provision, or for Mrs James' children to agree to a variation of the intestacy, but this could be avoided by a Will providing for these circumstances.