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# A lasting legacy

We asked experts from Scotts Wright Solicitors, David Gray Solicitors and Guardian Solicitors why Army families should ensure they have up-to-date Wills...

***I'm young, happy and healthy. Why should I concern myself with making a will now rather than when I retire?***

**Scotts Wright:** You don't know what is around the corner – if you have an accident tomorrow you may not have the mental capacity required to make a Will which will detail what you would like to happen to your assets and who you would like to benefit from your estate.

**David Gray:** Sadly we all know people who have died at a relatively young age. This may be due to accidents, sports or undiagnosed conditions. It is prudent for most adults to write a Will to take care of their affairs.

**Guardian Solicitors:** Without a written Will, the process of

sorting everything out after you die will be far more stressful. Writing a Will is particularly important if you have a partner, children or family members who depend on you financially. By making a Will, you can have peace of mind knowing that your children and partner will be taken care of according to your wishes.

***I don't own a house or have lots of money in the bank. Why should I go to the expense?***

**Scotts Wright:** A Will ensures your wishes are followed and that the people who you wish to benefit from your estate – no matter the size – will do. You can also appoint Testamentary Guardians for any children who are under the age of 18.

**David Gray:** Your assets may be



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small now, but may change in the future. If you inherit money, have a savings plan or life insurance, you may be worth more than you think. There may also be insurance benefits payable on your death.

**Guardian Solicitors:** It does not matter how little money or few possessions you own, it is important to protect what you do have. In short, if you want to avoid legal complications in the future and guarantee your own security of mind, writing a Will is often the most sensible option.

**Other than family, what else can I do with my money and possessions should the worst happen?**

**Scotts Wright:** You can leave your assets to whoever you wish – for example to friends, godchildren or charities.

**David Gray:** Making a Will is an opportunity to benefit charities or causes which are important to

you. These gifts can make a real difference to the organisations concerned.

**Guardian Solicitors:** You can give gifts of money or property to friends or people outside your immediate family. Another option is to make a charitable donation.

**I'm confused about how to divide my estate. Can a solicitor assist with this?**

**Scotts Wright:** A solicitor can certainly help clarify matters and provide suggestions as to how best to achieve your wishes, but the decision about whom will benefit from your estate is ultimately yours.

**David Gray:** A solicitor will have experience of dealing with Wills and deceased estates and can warn of pitfalls and problems. They can also highlight possible choices that might help save tax.

**Guardian Solicitors:** We can advise on potential tax benefits,

for example if you leave a legacy to a charity. A Will must be made independently without any influence and a solicitor must ensure that the person making the Will is of sound mind.

**How often should I review my Will?**

**Scotts Wright:** We would recommend every five years but certainly after any major life event, such as getting married, divorced or having children.

**David Gray:** Regularly – the test is what would you want to happen if you die tomorrow? If your Will reflects your wishes then it is still fine. Moving house, marriage, divorce and having children can all be triggers for updating it.

**Guardian Solicitors:** Usually every three-to-five years or after the occurrence of a major life event. This is to ensure that it does not become outdated and your estate will be distributed in the manner you see fit.

**What if I die without a Will?**

**Scotts Wright:** If you die without a Will, the laws of intestacy apply. Essentially, the government has set out a hierarchy of people it assumes you would like to benefit from your estate, such as your spouse, children, parents and siblings. If no family is able to be traced, your assets could end up with the Treasury Solicitor.

**David Gray:** Without a Will, the law dictates who gets your assets. An unmarried partner may get nothing. Assets may pass to family you are no longer with or who you are not close to. Making a Will avoids this lottery so that your hard-earned assets pass only to people you have chosen.

**Guardian Solicitors:** Dying without a valid Will is called intestacy or dying intestate. If you don't have a Will when you die, your money, property and possessions will be distributed according to the law instead of your wishes. ■

For more information from our expert panel about the whys and wherefores of wills, visit [www.armyandyou.co.uk/willsadvice](http://www.armyandyou.co.uk/willsadvice). You can visit Scotts Wright at [scottswright.com](http://scottswright.com); David Gray at [davidgray.co.uk](http://davidgray.co.uk); and Guardian Solicitors at [guardiansolicitors.co.uk](http://guardiansolicitors.co.uk)

## LIFE CHANGES...

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