



Wills and Probate

Rowberry Morris is here to help you plan for the future, whatever your age, providing specialist, experienced advice and assistance on wills, probate, trusts and estate planning.

Wills

Do I need a will?

A will ensures that your estate goes where you want it to on your death. A will can be particularly important if you wish to:

- Leave assets to an unmarried partner
- Appoint guardians for your children
- Provide for an elderly or vulnerable relative
- Make a gift to a friend or charity
- Protect assets for future generations
- Minimise any potential inheritance tax liability
- Prevent added stress and worry to your family on your death

What happens if I don't have a will?

Your estate will pass to those entitled under the Intestacy Rules. This may not be what you want to happen. Even if you are married and wish everything to pass to your spouse, that may not happen without a will.

Can I make my own will?

Yes but where a will is not made correctly it may be invalid, leading to problems after your death. Even if your wishes seem straightforward, there can be many pitfalls in drafting a will. Rowberry Morris ensures that your will is properly drafted in accordance with the will writing code of the Society of Trust and Estate Practitioners (STEP), taking into account your particular circumstances, and that it is signed correctly.

I already have a will – do I need to change it?

We recommend reviewing your will whenever your personal or financial circumstances (or those of your beneficiaries) change, and in any event every few years. It is particularly important to review your will if you marry, divorce or separate. You may also wish to review your will in light of any relevant changes in tax law.

Who should I appoint as my executors?

An executor can either be a professional (such as the partners of Rowberry Morris Solicitors) or a “lay” person e.g. a relative or friend. The appointment of the partners of Rowberry Morris Solicitors as your executors will ensure that at the appropriate time the administration of your estate will be carried out in a proper and professional manner. A lay executor has the option of employing a professional to assist him/her in the administration of the estate and you may wish to consider including in your will a request that the executor instructs Rowberry Morris Solicitors to assist in part or all of the administration of the estate.

Probate

When a loved one dies it is a very difficult time for the family, without the additional burden of dealing with all the legal aspects. Rowberry Morris can guide you through your responsibilities, including applying for probate or letters of administration.

A Grant of Probate is a document issued by the Probate Registry, where there is a valid will giving the executors named in the will proof of their right to administer the estate, although the executors authority begins on the date of death.

If there is no will there is no-one with immediate authority to administer the estate. An application must be made by one of more of the Deceased's nearest relatives for a Grant of Letters of Administration. Once issued it gives the person or people named (the Administrators) authority to administer the estate and to distribute the deceased's estate to those entitled under the intestacy rules.

Rowberry Morris can help with all aspects of administering an estate, including:

- Ensuring funeral arrangements are properly carried out
- Establishing the assets and liabilities in the estate
- Calculating inheritance tax and completing inheritance tax returns
- Applying to the court for a grant of representation
- Collecting in the assets, paying any debts and distributing the estate to the beneficiaries
- Dealing with any income tax or capital gains tax issues

Key Contacts

Our experienced team includes members of STEP, Solicitors for the Elderly and the Law Society's Private Client Section.

Reading

James Pinniger and Mary Collyer

Telephone: 0118 958 5611

Email: probate@rowberrymorris.co.uk

Staines

David Roper

Telephone: 01784 457 655

Email: davidroper@rmstaines.co.uk

Tadley

Helen Greenwood and Elizabeth Groom

Telephone: 0118 981 2992

Email: bwyatt@rmtadley.co.uk

Richmond

Anne-Marie Want,

Telephone: 020 8334 4860

Email: anne-mariewant@rmrichmond.co.uk

Probate Disputes

There are occasions when someone who is not named in a will or who is not entitled under the intestacy rules can successfully make a claim against a deceased's estate. Rowberry Morris's specialist Dispute Resolution department can provide expert advice about making or defending such a claim. Anna Illingworth is a Registered Contentious Trust and Probate Specialist
Telephone: 0118 9585611 Email: anna.illingworth@rowberrymorris.co.uk