

**A. L. HUGHES & CO.**

**SOLICITORS**

**& COMMISSIONERS FOR OATHS**

**ESTABLISHED 1950**

**Wills  
Service**

**Guide for Clients  
And Instructions Questionnaire  
For completion and return**

# Why is this Important?

This leaflet has three main parts. The first answers some questions about Wills, and suggests some reasons why it might be a good idea for you to make one.

Making a Will is a serious (even if not a solemn) business: if the Will does come into effect it will regulate what happens to your property. A badly drawn will can cause a lot of misery to those whom you care for.

The second part collects your instructions. To give you meaningful advice, we need to know a little bit about you, and in particular:

- The extent of your assets
- Who you'd like to leave them to
- Your dependants and others who might have a claim on your estate
- Whether you suffer from any disability or there is any other consideration which might cause your Will to be challenged.

The information you give will form part of the background to your Will, and may be useful if a challenge is made to it.

The final part contains your instructions to us.

**We are now unable to accept instructions for a Will without these forms being completed and ID evidence being produced.**

We also require as part of our service that you sign the Will in front of one of the partners in this firm. This is to ensure that you sign of your own free will, and also that the Will is properly witnessed.

## What do I need a Will for?

Many people find thinking about making a Will a bit of a pain. Here are some of the most common excuses:

"I'm far too young to make a Will"

"I've got nothing to leave anyway!"

"I'm sure that there wouldn't be a problem, and if there is, they can sort the whole flaming lot out themselves"

"Why should I want all those complications?"

"That's morbid, that is"

"It's far too expensive, isn't it?"

But the truth is that if you do make a Will, you can avoid problems which may arise after your death, and save your family and friends money.

### "I'm far too young to make a Will"

Unless you are under 18, there is no doubt about it: You are old enough to make a Will. A Will can sort out the following questions.

Who will inherit your property?

*Family, friends, charities, or pressure groups may be left specific items, sums of money, or shares in your estate. You can set up trusts for the benefit of young people, or leave money to pay for the care of pet animals. You can provide for what happens if one or more beneficiaries die before you or at the same time.*

Who will administer your property and make all the necessary arrangements?

*Your "Executors" can also benefit from your estate, so there is nothing to stop you appointing a beneficiary as an Executor..*

*A. L. Hughes & Co. can act as Executors, and make no charge over and above our usual charges for administering estates.*

Funeral arrangements

*If you have a specific request to make about your funeral arrangements, then a note of it in your Will will help to ensure that it is carried out.*

### "I've got nothing to leave anyway!"

Many people don't take into account the value of life policies and occupational benefits when working out the extent of their property. If you have mortgage, and have a mortgage related policy, then your residence will be "paid for" if you die. Many employee benefits schemes include a death benefit of a multiple of earnings.

Also savings, shares, and other assets can amount to a great deal more than you think.

**"I'm sure that there wouldn't be a  
problem,  
and if there is,  
they can sort the whole flaming lot out themselves"**

If you don't make a Will, then your estate will be administered according to some rules first laid down in 1925.

Particularly affected by the law are those who wish to benefit people who are not relatives. There is no such legal idea, despite what many people think, as a "common law wife" or "common law husband". So a long-standing partner to whom you are not married has no automatic right to a share in the estate.

Even the "average" family can suffer if the complicated trust provisions which can apply on an intestacy apply, as the family home may have to be sold and invested

In short, having your instructions down on paper can save a whole load of hassle.

**"Why should I want all those complications?"**

Making a Will is not complicated unless your instructions are complicated. Our ***Will Service Questionnaire*** when completed should in most cases give us all the information we need.

**"That's morbid, that is"**

It's not morbid to make sure that if anything happens to you, those whom you care about are properly catered for. Will-making shouldn't be looked at as the last thing you do before the Grim Reaper calls. You should look at your Will every few years. You will probably need to change it if:

- ◆ You start living with someone
- ◆ You marry or enter into a Civil Partnership
- ◆ You separate or divorce
- ◆ You have children
- ◆ Your children start their own families

In any event, the law changes regularly, and we recommend looking at your Will every five years.

**"It's far too expensive, isn't it?"**

No. It's a lot less painful, both financially and physically, than a visit to the dentist. We can prepare a straightforward Will for £300 plus VAT for an individual, or two Wills for a couple for £450 plus VAT. Most wills come within this category. Obviously, more complicated Wills will cost a little more, but one of our partners will be able to give you a free estimate if you complete our ***Will Service Questionnaire***.

## **How to make a Will.**

The first step is to fill in our *Will Service Questionnaire*.

Then make an appointment to see one of our partners.

## **How to get in touch with us.**

By telephone: 020-8769 7100 or 020-8769 2474

By fax: 020-8677 6644

By post: 340 Streatham High Road, London SW16 6HH

By DX: DX 58457 Norbury

By e-mail: [Mail@alhughes.co.uk](mailto:Mail@alhughes.co.uk)

### **Partners**

Laurence N. Mann LL.B., FRSA

Frances A. Holton, B.A.

### **Consultant**

Norman D Mann

# A. L. HUGHES & CO.

## SOLICITORS

# Will Service Questionnaire

Please complete this form carefully. By all means take it away and return it later. Please make sure to give full names (including middle names) and addresses. Where there are multiple choice answers, tick the one which is correct. Use extra pieces of paper if you need to.

### About you

Your Name	
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Your Address	
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Your telephone number	
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Your email address	
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What is your date of birth?	
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<b>We will need to see:</b>	<b>A passport or a photo driving licence. If you have neither then we will need to discuss what other form of Primary ID is acceptable; AND A recent utility bill evidencing your address.</b>
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### About your ability to make a Will

In order to avoid the possibility that the Will is challenged, it is important to establish that you have the necessary understanding to make it, and if you suffer from any disabilities, that the Will is properly drafted so as to indicate that these have been taken into account.

Do you suffer from, or have you ever had treatment or medication for:	<input type="checkbox"/> <b>Memory loss</b> <input type="checkbox"/> <b>Alzheimer's disease or other dementia</b> <input type="checkbox"/> <b>Depression</b> <input type="checkbox"/> <b>Lack of concentration</b> <input type="checkbox"/> <b>Bipolar disorder</b> <input type="checkbox"/> <b>Any other mental disability or illness?</b> <input type="checkbox"/> <b>Addiction to alcohol or drugs</b>	<b>If you have, then you should obtain a medical certificate to the effect that you have capacity to make a Will before proceeding further.</b>
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Can you read this form and complete it without any reading aid other than glasses?	<input type="checkbox"/> <b>Yes</b>	<input type="checkbox"/> <b>No</b>
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Are you hearing-impaired?	<input type="checkbox"/> <b>Yes</b>	<input type="checkbox"/> <b>No</b>
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Do you suffer from any physical disability or illness which makes it: <ul style="list-style-type: none"> <li>• hard to get about; or</li> <li>• to concentrate?</li> </ul>	<input type="checkbox"/> <b>Yes (please give details)</b>	<input type="checkbox"/> <b>No</b>
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**About your immediate family**

Are you married or in a registered Civil Partnership	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>	if so, please state the name of your spouse or Civil Partner.	
If you are married or in a Civil Partnership, are you:	<input type="checkbox"/> <b>living with your spouse or Civil Partner?</b>	<input type="checkbox"/> <b>separated from your spouse or Civil Partner?</b>	
Are you living with or planning to live with someone who you wish to benefit	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>	if so, please give their name and address (if not your own).	
What is their status	<input type="checkbox"/> <b>partner</b>	<input type="checkbox"/> <b>fiancé(e). (A will is revoked by marriage unless it is stated to be made with that marriage in mind)</b>	
Do you have any children or stepchildren	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>	How many?	Names and ages

**About people who you have decided should NOT benefit under your Will, but who might feel that they have a claim on your estate.**

This is very important. Clarity in your intentions is important. It will also enable us to advise you if any such people have a claim that they might make irrespective of your wishes and what to do about that. Sadly people do make claims, and they can be very expensive to deal with.

NOTE	Category	Name(s)
<b>IMPORTANT</b>  <b>ONLY TICK THE BOXES IF THERE ARE PEOPLE WHO FALL INTO THE CATEGORY CONCERNED WHO YOU DO NOT WANT TO BENEFIT UNDER YOUR WILL.</b>	<input type="checkbox"/> Spouse or Civil Partner who lives with you.	
	<input type="checkbox"/> Spouse or Civil Partner who lives apart from you.	
	<input type="checkbox"/> Partner who lives with you.	
	<input type="checkbox"/> Partner who used to live with you but doesn't any more but who is the parent of one or more of your children.	
	<input type="checkbox"/> Former Spouse or Civil Partner	
	<input type="checkbox"/> Child under the age of 18 or in full-time education.	
	<input type="checkbox"/> Child over the age of 17 and not in full-time education.	
<input type="checkbox"/> Other dependant.		

## Old Wills

have you ever made a Will before?	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>	if so, where is it and when was it made?	
Have you made a Will abroad to deal with property abroad?	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>	if so, where is it and when was it made and what does it cover? Please also supply a copy.	

## About your property

Please set out below roughly what property you have and what you estimate its worth to be. We will not offer detailed tax advice, but we may either suggest some strategies for reducing the impact of taxation (if any) or will suggest you take further advice.

Type of Property	Description (ie address)	Rough value	In your name?	Jointly owned?
The house you live in				
Investment property?				
Bank Savings				
ISAs and Bonds				
Shares				



Businesses				
Life Policies				
Pension repayments				
Death in Service Payments				
Cars				
Contents of your property				
Property abroad				

And (on the other hand)

Type of Debt	Description	Rough amount	In your sole name?	Will it be paid off by insurance?
Mortgage on your house				
Mortgage on other property.				
Loans				
Credit Card Loans				

### About a Principal Beneficiary (if any)

Many people want their whole estate to go to their spouse or partner, or to another person, if they survive them for 28 days.

Is there a person who you would like to benefit in this way	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>	Who is it?	
Would you like them also to be your Executor?	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>		

## About your Executors

Your Executors deal with the administration of your estate on your death. They do not need to be qualified in any way: they can get help from a solicitor.

Anyone over 18 can be your Executor. You can have between 1 and 4. Living locally is an advantage but is not essential.

A, L. Hughes & Co. offers a full Executorship Service, and we are prepared to act on our own or with your own choice of Executor. We do not charge any extra for being an Executor, unlike Banks and other professional executors. We will only charge for the legal work done in connexion with the estate as if we were employed by non-professional Executors.

Would you like us to act as your Executors?

- Yes**
- Yes, and I would like the following Executors appointed as well**
- No. Please appoint the following**

Full name of your proposed Executors	Address

## Specific Gifts of Property

You can give anything which you own away specifically to any other person, charity or organisation. We usually recommend that money, or bank accounts, and things like that are treated as part of a gift of the residue of your estate, and divided into shares for your main beneficiaries. This section should be used for gifts of specific items such as pieces of jewellery or paintings. If you would like to leave a fixed sum of money to someone, please use next section "Pecuniary Legacies". Remember that if you leave someone a specific item, such as "my gold and jade earrings", and then sell or lose it, they will get nothing under that gift.

- Charities prefer to have money legacies or a share of an estate as they will almost certainly sell anything you leave them.
- Specific Gifts will be free from Inheritance Tax unless you say so. So any tax payable will be paid out of the rest of the estate.

Please list below any Specific Gifts you would like to make.

Please also describe things in sufficient detail to avoid any confusion.

If you've already given someone's address, there's no need to repeat it.

Item	Name and address of beneficiary

## **Pecuniary legacies**

You can leave a fixed sum of money, such as "£10,000" to any person, charity or organisation. If prices go up, your gift will be worth less on your death than it is now. You can index-link gifts, or review your Will every few years.

If there is insufficient money in your estate to pay all legacies, the amounts will be reduced pro rata. So if you have left £50,000 worth of legacies and there is only £25,000 to pay them, each beneficiary will only get half of the amount you originally intended.

- Legacies take priority over the ultimate division of your estate into shares. So they will be paid in full first, and then residue distributed.
- Pecuniary Legacies will be free from Inheritance Tax unless you say so. So any tax payable will be paid out of the rest of the estate.
- It is not usually a good idea to use legacies to share out the residue of your estate. It is better to divide it into shares.

Please list below any Pecuniary Legacies you would like to make.

If you've already given someone's address, there's no need to repeat it.

Amount	Name	Address


**The division of residue**

Whatever is left over will need to be distributed. We recommend that you divide your estate into shares, and give so many shares to each person.

How many shares	Name of Beneficiary	Address

	← Total Number of Shares
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**What happens if someone I name in the Will dies before me?**

In most cases, they are treated as if left out. Here are some rules for dealing with this problem. Please indicate if you want these to apply.

- Anything left to a child of mine is to go to their children if they die before me and leave children.
- Anything left to anyone mentioned in my will is to go to their children if they die before me.
- If one of the people getting a share of my residuary estate dies before me, their share will be divided up and distributed between the other beneficiaries in proportion to their own shares.

If you have any other directions to deal with this sort of problem, show them below.

Name of Beneficiary	Name of person who takes their share if the Beneficiary dies before me and the above rules don't apply.	Their address.

## Funeral Arrangements

You can make your wishes clear in a Will. But as it may be a few days after your death that your Will is available to relatives, it is often prudent to ensure that those relatives are aware of any arrangements you wish to make.

Please state:

Have you made any arrangements for a funeral?	Yes/No	If yes, and you want them set out in your Will, please give details.	
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## Guardians.

If you have infant children, you can use a Will to appoint a guardian or guardians of those children.

Name of Guardian	Their address

## Other requests....

You can achieve other things in your Will, such as creating a trust to care for your pets, or explaining in lurid detail why your misbehaving nephew is missing from your list of beneficiaries.

Is there anything else you would like in your Will?	
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## What to do next.

If you return this form to us duly completed, one of our partners will contact you with an estimate of the costs involved in preparing a Will and ensuring it is properly finalised. If you consider that your Will has more complex implications than those envisaged by this Questionnaire, then it will probably be best to seek an appointment right away to discuss your requirements.

A Will is an extremely flexible document, and by the use of correct drafting, almost anything can be done that you might like to have done.

And finally.... Our Instructions. If having looked at your instructions, we consider that the cost of preparing it will exceed the amounts in this leaflet, we will tell you and seek your confirmation before starting work.

<b>YOUR INSTRUCTIONS TO US</b>		
Would you like us to prepare a Will for you?	<input type="checkbox"/> <b>Yes</b>	
Please confirm that you understand that you may need to take further tax related advice.	<input type="checkbox"/> <b>Yes</b>	
Did anyone else suggest you consulted us?	<input type="checkbox"/> <b>Yes</b> (please state who that was)	<input type="checkbox"/> <b>No</b>
Has anyone else helped you complete this form or make suggestions as to whom you should leave your property?	<input type="checkbox"/> <b>Yes</b> (please state who that was)	<input type="checkbox"/> <b>No</b>
Are the answers you've given to the questions on this form complete and correct to the best of your knowledge and belief?	<input type="checkbox"/> <b>Yes</b>	<input type="checkbox"/> <b>No</b>
<b>Signed</b>		
	Date	