

Call Stoke-on-Trent (01782) 639716

Eleven Ways to Make Your Will

A Guide provided by Rod Jones of Convenient Wills

1 Welcome

Thank you for requesting this guide. I hope you find it helpful and informative.

This guide must be regarded as a source of information to supplement your own knowledge. The guide's purpose is to equip you with information to help you choose how to make your Will, and if you elect to use a professional will writer then to give you some hints and tips as to how to select which one to use.

This guide is provided on that basis. We regret we cannot accept any responsibility or liability for any adverse outcomes for you or your family, no matter how caused. In addition, we do not accept any liability for any mistake, error, or omission from this guide.

This guide is one of a number of guides and reports available from our web site www.convenient-wills.co.uk; they cover a wide range of aspects dealing with estate planning in general, and making your Last Will & Testament and Lasting Powers of Attorney in particular.

All our downloadable guides and reports use hyperlink technology. This allows you, if you are reading the document direct from a computer with access to the Internet, to click on a hyperlink (indicated with blue, underlined text) and you will be taken through to the appropriate article. Please note that the guide is not designed to be printed off; if you wish to print off the guide please [contact us](#) and we will send you an amended version.

If you require further information or clarification on any aspect of this guide then please do not hesitate to contact me. I will be only too pleased to help.

And finally, as you read this guide you may realise that it would be a lot easier, quicker, and simpler for a professional to just get on with making your Will for you. We would like to help. Please [click here](#) to read the full features and benefits of our home visit service, or [click here](#) to register your interest (without obligation) in our services.

Rod Jones

Rod Jones A.C.I.B.
Proprietor of **Convenient Wills**

2 Overview

One of the problems facing anyone who decides that they wish to make a will is choosing which is the best method to use from the wide choice available nowadays. This guide is designed to:

- ♦ help you decide which method of making your will is the most appropriate for you; and
- ♦ share with you some tips that should save you and your family time and/or money when making your will.

If you already have a Will then are you absolutely sure that you need to make a new will. Could your existing will be updated with a codicil? Indeed, could your existing Will suffice -- and thus save yourself to fees and time in having a new Will made? You may find our '[Will Check](#)' service of interest to you.

3 Glossary

- ♦ Executor: The person you appoint in your will to sort out your affairs. Executors are the people who carry out the instructions contained within your Will; if they fail to do so they are in 'breach of trust'.
- ♦ **Guardian:** The person's appointed to take responsibility for any minor child whose parents are unable to do so.
- ♦ **Administrator:** A person who sorts out the estate of a deceased person where the deceased did not make a valid will, or one cannot be found after the person's death.
- ♦ **Rules of Intestacy:** A set of fixed rules that govern exactly how a deceased person's estate is to be distributed when a person dies without making a will.

4 Eleven methods to making your Will

There are 11 methods to choose from when making your will. Your options are:

1. write your own (without any help);
2. read a book on the topic, and then write/type out your will;
3. use a 'will-writing' computer program;
4. buy a 'will-writing' pack from your local stationers;
5. use an on-line will provider;
6. use the services of a solicitor;
7. take up a 'Free Will' offer - from a solicitor (during, say, Free Wills Week), your Bank, or a charity;
8. use the services of your Union;
9. use the services of your High Street Bank;
10. use the services of a home-visit will-writer; or
11. use Convenient Wills.

5 Which method is best?

If your circumstances are very simple then you could choose any of methods listed above.

The following table (on page 3) lets you identify which method is best for you.

Unsurprisingly for most people the recommendation will be to use the services of a professional will writer i.e. options 6 to 11 inclusive above. The reasoning is simple: your Will is a legal document and most of the D-I-Y methods of making a Will are unable to cope with creating a Will that is anything more than a basic will.

The table on page 4 then compares the different types of professional Will writer.

If your personal estate is [say] worth more than £2 million (excluding any business) then you should consider seeing a solicitor who is experienced in setting up and running inter-vivos trusts. They should be able to identify ways by which your estate will avoid paying inheritance tax (subject to there being sufficient time).

Everybody else can choose from the list, selecting the service the best matches their needs.

6 Tips to Save You Time and Money

For most people drafting their own Will is an inefficient use of their own time. It is far more cost effective to use the services of a professional will writer; they are likely to take little more than 1 to 1½ hours of your time.

If you choose to write your own will (i.e. Options 1 to 5 inclusive) you will need to devote a significant amount of time to research, and typing/writing. And you will always have the nagging doubt that you might have missed off an important phrase or made an error in the drafting or signing process. Many D-I-Y wills are rejected for these very reasons.

Which Method ...

START

Your Circumstances ...

Are You: divorced, separated, remarried, or a non-UK resident?

If YES then it is unlikely that a book on will-writing or cheap will-writing software will advise you of the additional factors you need to consider when making your will. You need to discuss these with a professional will writer - and if they don't discuss these with you in detail then move onto a will-writer who does explain to you why you need to be concerned - and what additional actions you need to take.

Yes - to any

Your Children ...

Are your children or your partner's children: minors (i.e. Under 18 years), stepchildren, adopted, or disabled? Most will-writing books, online wills, and cheap software include appointment of guardians clauses and residue to the children clauses - but many do NOT include the other clauses (e.g. Minor's receipt, substitution, apportionment, trust and trustee power clauses) that are needed depending upon their circumstances.

Yes - I have minor children

Are You A Business Owner ...

Are you a business owner? If YES then it is very likely that a book, or online will or cheap software will NOT provide the necessary precedents/clauses you need; this will result in serious, and unwanted, consequences for your business.

Yes

Your Potential Tax Liability ...

Do you have a potential inheritance tax (IHT) liability? If so, then how and from where is it to be paid? If you do have an IHT liability, or you don't know how to calculate if you have an IHT liability then you need to research this topic. It can be complex. There is information in books, on CD software, and on the Internet that explain this topic. Be warned though; much of this information is out of date;

I have/ may have an IHT liability

Are You Concerned That ...

Are you concerned that ... Your house could be forcibly sold to fund the long term care costs of a surviving spouse or partner (reducing your estate over time to a minimal value for your children)? Or that your children may be disinherited (i.e. inherit nothing from you) because your spouse might remarry after your death? Or that your child's marriage may fail in the future - and their spouse take half of your child's inheritance as part of the divorce settlement? Or that your child - despite being of sufficient age to inherit - would just fritter away their inheritance? If YES to any of these then you need to discuss your needs with a professional adviser. The solutions require complex clauses being inserted into your will, and additional actions taken to support those clauses.

I am concerned about these topics

Do You Have Property ...

Do you own, or have a share in, property? e.g. Your parent's home. Do you own property in another country? Do you want to give a person the right to reside in your family home after your death e.g. Your partner, your child's guardian, even your wife or husband? If YES then books, online wills, and cheap software will not provide you with the clauses you need to include in your will, or the additional actions you need to take to support those clauses.

Yes I do own, or have a share in, property

Do You Want To Give Gifts ...

Gifts (also known as legacies) can be simple. But they can be 'contingent' (i.e. Conditional). And gifts to charities, your Church, your old school, a club or society can all create unexpected problems. Unless your gifts are simple, absolute, gifts to family members you will need to research this topic to avoid disappointment and unexpected costs. Do you have the time to undertake the research?

Not all my gifts are simple, absolute gifts to members of my family.

Are You An Accurate Typist ...

If you have followed the flow chart to here then you have confirmed you need a simple will (though you may need to undertake research to complete the will-drafting task). Are you an accurate typist? Do you have access to a computer? If YES then you can choose to make your own will using a book, an online service, or cheap software.

No, I cannot type or ... I dislike typing

Yes, I can type accurately

If You Don't Have A Computer ...

You will have to write your own will. A good quality book will guide you. Alternatively, use a professional; they may offer better value for money in the long term.

Using a professional will-writer is more efficient.

If You Have A Computer ...

You can choose between 1. copying the clauses from a book, 2. using 'will-writing' software to create your will (Remember you also need a printer too), 3. Use the services of an online will-writer, or 4. Use the services of a professional will writer.

Use A Professional Will Writer

Use A 'Make Your Own Will' Book

Use An Online Will Writer

Use 'Make Your Own Will' software

Provider Comparison	Convenient Wills	D-I-Y Unaided or by book	Make Your Own Pack	CD Software	Online will writer	Will Writer Independant	Will Writer National	High Street Bank	Solicitor
Potential Will Complexity	Complex	Very simple	Simple	Very simple to Simple	Very simple to Complex	Simple to Complex	Complex	Complex	Simple to Very complex
Private Client Service for large estates (say >£2M)	No	No	No	No	No	Rare	No	Yes	Yes
Application type (D-I-Y = Do it yourself)	Home-visit	D-I-Y	D-I-Y	PC	PC	Home visit	Home visit	Postal	Face-to-face
Instructions taken at home	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No **	No
Evening appointments offered	Yes	N/a	N/a	N/a	N/a	Yes	Yes	No	Rarely
Weekend appointments offered	Yes	N/a	N/a	N/a	N/a	Maybe	Maybe	No	Rarely
Appointment duration	45 - 120 mins	None; just research time	None; just research time	None; just research time	Depends upon research	30 - 120 mins	30 - 180 mins	None; just research time	variable
Advice to business owners	Yes	No	No	Unlikely	Unlikely	Maybe	Unlikely	Yes - if you pay	Maybe
[Perceived typical] Primary sale objective	Will	Will	Will	Will	Will	Will /Probate	Will /Probate	Probate	Probate
Draft Wills supplied	Yes	D-I-Y	D-I-Y	D-I-Y	Unlikely	Maybe	Maybe	?	Maybe
Copy Wills supplied	Yes	D-I-Y	D-I-Y	D-I-Y	Unlikely	Usually	Maybe	?	Usually
Training in wills, trust and property law - by will drafter	Yes	No	No	Maybe	Many are not	Some are not trained	Many are trained to	Yes	Yes
Will writing as % of business	90%	N/a	N/a	N/a	?	90%	?	?	1 - 90% *
Charge extra for a complex will	No	N/a	N/a	N/a	Yes	Yes *	Yes	Yes	Yes
Likely to promote own storage	No	N/a	N/a	N/a	No	Usually	Yes & for a fee	Yes	Yes
Likely to promote Executor services	No	N/a	N/a	N/a	Maybe	Maybe	Yes & for a fee	Yes & for a fee	Yes & for a fee
Notes *						* fees can be £100's more		** if you estate is very complex they will arrange a home visit	* many do will writing as an add on.
Potential Will Complexity explained **	<p>A VERY SIMPLE will is a will whereby the estate is given to adult children, absolutely. A SIMPLE will is a will whereby the estate is given to the children or grandchildren -- either of whom may be minors. A COMPLEX will includes trusts e.g. Interest in possession trusts, or discretionary trusts. They might also require severance of tenancy for the family home. A VERY COMPLEX will in one that includes the trusts listed for a Complex Will, and lifetime trusts for</p>								

There are other important benefits too if you see your will-writer for a 'face-to-face' discussion. Increasingly wills are challenged for lack of mental capacity, undue influence, and fraud. These challenges are difficult to defend if you made your own will, used an online will-writing service, a postal service with an application form to complete, or a wills-by-phone service. So, although your will may be legal, it can still be vulnerable to challenge by a disgruntled family member who stands to gain by having your will declared invalid by virtue of one of the afore mentioned reasons. For this reason we would urge you to only use a service that involves a face-to-face discussion i.e. A solicitor or a home-visit will-writer.

When selecting a professional will-writer (be that a solicitor or a home visit will writer) you need to be aware of a number of 'tricks of the trade'. These are explained in our guide ['The Secrets Will Writers Would Prefer You Not To Know'](#).

That same guide also explains about the dangers of buying a will using the 'Free Wills Week' promotion.

A direct comparison of services between different will-writers is very difficult to achieve - as no two firms operate identically. Not only do the quality of the wills differ (quality of wording, paper quality, security features of the will) but also the quality of the advice being given, the convenience of the service, the support materials provided, and the pressure to sell additional services vary hugely across the sector.

So take a 'typical' solicitor as an example. They are the traditional choice for many people for writing a will but:

- ♦ few offer home visits. You have to visit them, at their offices, during their office hours. So, for many people, they are not convenient;
- ♦ their knowledge may not be up-to-date. This is because they draft Wills so rarely, preferring to do more profitable tasks. But the taxation and law relating to Wills continues to evolve;
- ♦ they will often promote their own [profitable to them] professional executor and probate services; services that you might need, but are not required in most cases. And because they can make such a huge profit on the executor service they can 'price bait' you; and
- ♦ the drafting of your will is often not a priority. You may therefore have to wait sometime before your Will arrives.

Now the above criteria may not be a concern to you. You may prefer to use your local and respected solicitor. Or your solicitor may not match the 'typical' image projected above and in which case using their services would make sense.

You may find that your Union or Bank offers to draft your will for you but ... The service will [almost certainly] be a postal service. The application pack will arrive at your home and you will be expected to read, understand, and complete it. As with online Wills and D-I-Y Wills from a book, this means that the responsibility [for researching your options and then inputting your requirements onto the application form correctly.] is yours. And, as explained earlier, it may be difficult to defend your Will against accusations of undue influence, lack of capacity or fraud.

7 The Simple Solution

Use the services of **Convenient Wills**. We would like to help you

Making your will can be time consuming and relatively stressful. The more you research into what should be included in a Will the more you realise there is yet more to learn. And even when the task is done you may have nagging doubts about its legality and validity if you have not used the services of a professional.

Using us can be quicker and more cost effective in the longer run.

Convenient Wills is the only home visit, specialist Lasting Powers of Attorney & will-writing business located in Newcastle-under-Lyme that covers North Staffordshire, South Cheshire and North Shropshire.

Convenient Wills, as a specialist home-visit will-writing service, offers you:

- ♦ **convenience:** we come to your home, thereby saving you travel costs, and time;
- ♦ **flexibility:** our appointments are held at times convenient for you, including daytime, evening, and at the weekend. There is no need for you to take time out from work;
- ♦ **a relaxed atmosphere:** the discussions are held in the comfort and relaxed atmosphere of your own home -- and not in an 'oppressive' office in your local (or not so 'local' in some cases) town;
- ♦ **time saving:** our experienced and friendly consultant will advise and guide you through all the options you should consider -- thus eliminating the need for you to undertake any prior research, such as searching the Internet or library to see what you should include;
- ♦ **a bespoke will:** your Will will be legal and personalised to match your exact wishes. This means, for example, that the names of your children will be included in your will rather than just referring to them as your 'children'; and we will draft your will to match your wishes rather than making your wishes fit into one of our pre-formatted template wills.
- ♦ **a fixed fee:** We do not charge extra for the inclusion of, say, a trust in your will (Unlike some of our competitors). Nor do we do increase our fees if we feel you can 'afford' to pay more; and

- ♦ **protection:** our processes (which includes visiting you twice) ensure your Will can be defended from claims of lack of capacity, undue influence, and fraud.

The full features and benefits of our home visit will-writing service is available on our [web site](#). To register your initial interest (without obligation) in our services just [click here](#).

Not all will writing services are the same.

Please call Rod on:

(Stoke) **01782 639716** or click on
www.convenient-wills.co.uk

We hope you have found this fact sheet informative. If so then please feel free to share it with others. More information and helpful, informative guides are available from our web site, or by calling us direct.

Convenient Wills

01782 639716 or 0800 072 5510.

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