

Top legal and life advice from QualitySolicitors

Nia Wharry, a Wills and Estate Planning Partner at QualitySolicitors gives the following tips to help advise on the creation of a will, whether you are creating your own or assisting a family member in the completion of theirs.

For the over 60s

Don't be put off - the creation of a will document is often delayed until later in life as people feel as though it is 'too big' or 'too difficult' a conversation for their family to have. Yet other members of the family often share these concerns. Taking the first step can bring a whole sense of relief to the situation.

Remember it is YOUR decision - don't allow your will document to be lead by what you feel you SHOULD do. It is YOUR decision as you are allocating assets you have worked your whole life to acquire. If you feel someone present in your life now, such as a friend, carer, neighbour, is more deserving of a mention in your will than a long-lost/distant blood relative, it is absolutely your prerogative. There are no rights and wrongs.

Think of the future, not just the here and now - When allocating your assets in a will, it is important to be absolutely clear who you want to receive what. For example, it may be appropriate to create trusts for grandchildren or great-grandchildren in a will document, especially when a relationship breakdown has created ambiguity.

Make an informed decision - a will is one of the most important legal documents that you will create. Research, research, research - there is a wealth of information out there.

Outline your final wishes – Whilst you might find it a depressing thought, your will document is also an opportunity to outline your final send off. If you want certain music played or a certain theme, this is your chance to make it clear.

Take independent, sound advice - the best thing you can do when you are unsure how to move forward, is to take independent legal advice. Solicitors specialising in wills and inheritance will have heard of every conceivable family scenario you can imagine so don't hold back when outlining your fears or concerns. Solicitors often start initial will consultations by simply listening and giving practical advice, before moving onto legal matters.

For those aged 40-60

Speak to your parents - from our experience, people having initial will consultations tend to be in their 40s & 50s. If you are taking the first step to getting your affairs in order, it provides a natural opportunity to ask your parents about their own experiences to see if they should update or create a will.

Set a review timetable - if you are creating a document in your 40s or 50s, it is perfectly plausible you will become a grandparent before you die. Resolve to regularly review your document to ensure that it reflects your current circumstances. Calendarise appointments to review your will every 2 years.

Be wary of 'horror stories' - Everybody knows somebody who will recount a story of a complete family breakdown due to a will disagreement. From our experience however, the lack of a will is a far greater issue. By taking responsible action to create a will document in middle age, you are actually protecting your family from these disputes later in life.

Audit your assets – if you are developing a will document at this age, make sure you create a thorough audit of your assets, Will documents are designed to assign more than just cash and property. For example, assigning roles within a family business after your time is a critical detail that could be overlooked.

For those in their 20s & 30s

You are never too young - In your 20s and 30s, you may feel that creating a will is decades away. However, in today's digital world you have greater assets in your 20s than any generation that has gone before. For example, simple things such as who controls your social media profiles in the event of your sudden passing are a unique consideration for this generation's young people.

Get in the habit – If you create a will at a young age, you are more likely to update it at regular intervals and be aware of the impact of sudden family changes on the status of your document.

Appoint a Guardian – you are likely to become a parent at some point in your 20's or 30's. Ensure any will document that you create outlines who you want your child's legal guardian to be should something happen to you and your partner.

Make the process part of a property purchase – first-time buyers tend to be in their 20's or 30's. As you are making the biggest financial commitment of your lifetime, it makes perfect sense to use the opportunity to safeguard your family's future at the same time.