

Wills and Probate



ATHERTON
GODFREY
solicitors



All the support you need

Making a will or handling the financial affairs of a loved one who has died may involve difficult and emotional issues. Good legal support can offer peace of mind and assurance for the future.

Our experienced Wills and Probate team can provide the legal advice and support you need, and guide you through all of the necessary financial arrangements.

The importance of making a will cannot be overstated. People often assume that if they die without a will everything will automatically pass to their spouse, but this might not be the case. Atherton Godfrey can help make things clearer and ensure potential pitfalls are avoided.

Our probate service can offer you as much or as little help as you feel you need in taking care of the estate of a loved one who has died. We provide a comprehensive legal service as well as an understanding ear during what is a difficult time.

We also offer a specialist service for elderly clients, and an estate planning service which is tailored to meet individual requirements.

For more information or to discuss in confidence how our Wills and Probate team could help you, please do not hesitate to get in touch.



A guide to our Wills And Probate Service

Wills and probate is a complex area of law. Our guide explains how Atherton Godfrey can help.

Why should I make a will?

By making a will you ensure:

- Your estate is divided according to your wishes and not those of Parliament. If a person dies without a will he or she is said to have died 'intestate' and the estate will be divided according to the intestacy rules as set out in law.
- You minimise or eliminate the inheritance tax that may arise on your death and that of your spouse.
- You make provision for guardians who will look after young children if you and your partner die.

What special provision can be made for elderly clients?

- We have expertise in advising clients on the advantages of making an Enduring Power of Attorney (EPA). This is a legal document that enables the client to appoint one or more people - the attorneys - to manage their financial affairs and property, either now or in the future. If the client becomes mentally incapable we can register the EPA with the Court of Protection.
- For those who have unfortunately lost mental capacity without making an EPA, we have experience in advising relatives about applying to the Court of Protection for the appointment of a 'receiver'.
A receiver is someone who will manage the client's financial affairs.
- We can advise clients on the financial implications of moving into a residential or nursing home.

How can the Atherton Godfrey probate service help?

- We have expertise in dealing with all types of estates, and can help lessen the burden of handling financial affairs at what is naturally a difficult time.
- We can take on the additional work involved in handling high value estates which require the completion of an Inland Revenue Account and the payment of inheritance tax.
- If you wish to take on most of the responsibility yourself, we can simply obtain for you the Grant of Representation from the Probate Registry. This is the authority necessary for the personal representatives to distribute the property of the deceased in accordance with their will or, if there is no will, according to the rules of intestacy.

How can the Atherton Godfrey estate planning service help?

We have experience in dealing with the full range of estate planning, both during your lifetime and on death. Our service includes:

- Advising on inheritance tax and capital gains tax, and how they could apply to your estate
- Establishing a plan to reduce the amount of tax your estate will be liable for either during your lifetime or on death via your will
- Establishing trusts as a way to secure tax advantages or to protect assets for future generations
- Advising on whether a Deed of Variation or a Deed of Disclaimer is appropriate. For instance, where one beneficiary would rather not receive all or part of their entitlement for tax reasons.

Atherton Godfrey provides all the support you need on legal matters

- Commercial law • Clinical negligence
- Employment law • Family law • Family mediation
- Personal injury • Residential property



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