

Phillips
Solicitors



Wills and probate

One of life's certainties is that things change. We can never be sure what the future holds but we can take steps to anticipate and manage life's changes. At Phillips we have been helping individual clients to manage their family affairs and advising them on all aspects of Wills, Lasting Powers of Attorney, Probate and related matters for over 20 years.

Our clients come from all walks of life and each has the personal attention of one of the private client team – someone on whom clients can depend and trust to give them expert advice, no matter how sensitive the problem may be.

Wills

Whether single, married or a parent, we all have a responsibility to manage our day-to-day affairs. But not everyone is good at keeping complete control of their affairs, especially when it comes to making a Will.

Wills are a key element in estate planning and yet the Law Society reports that two out of three people have not made a Will. Without one, you are unable to control what happens to your assets after death and you may leave your dependants with numerous problems, including an unmanageable tax burden.

Without a Will, the law determines how your estate will be distributed, so your family, friends and favourite charities may not receive what they need or expect. We help you to make the correct provisions and ensure that your wishes are carried out. We can:

- Draw up your Will, making provision for all the people important to you
- Ensure that your wishes are carried out and that you fully understand the proposed Will
- Advise on Inheritance Tax to minimise your tax liabilities
- Arrange signing of your Will and retain it for safe keeping
- Register your Will with Certainty.co.uk

Administration of estates

This service involves dealing with your affairs after death. The 'estate' is your property and any other assets you have. Our probate specialists will handle the winding up of your estate with great sensitivity and understanding, and help your family and friends through what can be a very confusing and upsetting time.

Administration involves:

- Ascertaining the assets and liabilities and preparing the necessary tax forms
- Obtaining a Grant of Probate or Letters of Administration, enabling the Personal Representative to deal with the estate
- Obtaining the assets and settling the liabilities of the estate, including all tax liabilities
- Distributing the estate in accordance with the terms of the Will. If there is no Will then the estate is distributed according to the statutory rules

We may be able to minimise the tax liabilities on the estate of the deceased

and those of the beneficiaries by careful tax planning. This may involve Deeds of Variation or Deeds of Family Arrangement.

On occasions there may be disputes between beneficiaries, executors or those who want to make a claim against an estate – we can advise in these circumstances.

Lasting Powers of Attorney and Living Wills

Managing your affairs in later life can become more and more difficult and you may wish to consider nominating someone whom you trust to look after your affairs, should the time come when you become mentally or physically incapacitated.

A Lasting Power of Attorney (LPA) enables you to legally appoint the person whom you would like to manage your property and general affairs should you become unable to manage them yourself. The new LPAs allow you to draw up a separate Power dealing with your personal welfare matters and medical decisions, if you so wish. You will of course be able

to place restrictions on what exactly your Attorney can deal with, such as property or restricting medical decisions. Your Attorney can either act when you choose or when your mental or physical health declines, subject to certain safeguards and once it has been registered at the Office of the Public Guardian.

The Lasting Power of Attorney replaces the Enduring Power of Attorney (EPA). If you already have an EPA this remains perfectly valid but only covers financial and property issues – your Attorneys will not be able to act in matters relating to your health and medical welfare.

‘Advance Decisions’ or ‘Living Wills’, which are concerned only with medical discretion, also remain valid, but are not necessarily legally binding.

We can advise you on:

- The choice of Attorney or joint Attorneys
- Restrictions that you would like to impose
- The duties of Attorneys

Advance Decisions

Advance Decisions, also known as Living Wills, are instructions to healthcare staff who may be involved in your future treatment if you lack capacity at that time.

Advance Decisions are subject to much debate, as a patient’s wishes sometimes conflict with those of the medical profession. It may be that a Lasting Power of Attorney dealing with your health and welfare would be a more appropriate document.



“

I don't know what I would have done without your professionalism, warmth and friendliness in dealing with my affairs. I can honestly say you are the best in town.”

Mrs Mathurin, Basingstoke

Services from Phillips Solicitors

For businesses

- Corporate and commercial law
- Employment law
- Civil and commercial litigation
- Commercial property

For private clients

- Residential property
- Disputes and family law
- Wills and probate

For businesses and private clients

- Town Gate Mediation – www.towngatemediation.co.uk

If you would like to know more about how Phillips Solicitors can help you with buying or selling your home, or any other legal issue, please visit our website or contact us using the address or telephone numbers below:

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