

Wills

What is the service we offer?

This covers the following areas:-

- Will drafting and Estate Planning
- Administration of Estates including Intestacies
- Creation of trusts and administration
- Enduring Powers of Attorney
- Tax – inheritance tax and tax returns
- Advising the elderly and long term care planning

Who is it for?

Anyone who wants the reassurance that:-

- On death their assets will be distributed as intended
- Their affairs will be dealt with in such a way as to minimise the tax that might be payable
- Their estates will be administered in an efficient manner
- Advice will be tailored to the needs of the individual client

How the service works

We will always endeavour to meet the client and take full instructions to ensure that all needs of that client are known. The firm has several Solicitors, one of whom will have day to day control of the client's file.

How much will it cost?

An explanation of the way in which costs are charged will be supplied to each client and estimates will be provided whenever possible as to the likely total cost. The costs charged will typically increase in line with the length of time required to complete a matter. There are fixed fees for simple Wills and Enduring Powers of Attorney.

What to do next

If you are interested in our services, please contact us by telephone, fax or email.

Making a Will

Issues that typically need to be addressed when making a will are:-

Appointment of executors

These are the people whom you trust to ensure that the terms of your will are carried out after the date of your death. There can be more than one executor appointed.

Appointment of guardians

The guardian steps into the shoes of the parent and parents the child/children.

Appointment of Trustees

The function of the trustee is to make important financial decision for the benefit of any children under the age of 18 years.

Specific gifts

Do you want, for example, to leave a specific item of furniture or jewellery to someone?

Cash

Do you want to leave a gift of cash to particular people?

Residuary estate

To whom would you like to leave the rest of your assets? It will usually be sensible that a substitute appointment will also be made in case the first-named residuary beneficiary dies before you.

Inheritance Tax Planning .

This is a complex area of law as the rates/thresholds vary in accordance with Government Budgetary changes. Each case needs to be carefully examined in conjunction with your solicitor.

Should any trusts be created in the will?

Trusts

Why create a Trust?

A trust will typically be created in order to protect beneficiaries who may not be able properly to look after assets themselves e.g. because of their age or mental incapacity.

Trusts can also be created for tax-planning reasons. Young couples with children under 18 years should seek specific advice from their solicitor.

Probate

Executors, who are appointed under a will, usually have to obtain a grant of probate before they have authority to deal with the assets in an estate. The procedure for obtaining a grant of probate will vary depending upon the nature of the assets and their value. Your solicitor will explain this to you in more detail.

Intestacy

If you die without having made a will then you are said to have died "intestate". If this happens then the laws of intestacy govern who is to inherit your estate and this can lead to unexpected and undesired results. For example, if you do not leave a will then:-

- If you are married or in a partnership, your spouse or partner will not automatically inherit all of your estate.
- You will not have made any provision for whom should be appointed as guardians for your young children.
- You have not appointed anyone to act as your executor.
- The administration of your estate is likely to take significantly longer to complete than if you had left a will.
- This is why it is sensible to make a will with your solicitor.

Enduring Powers of Attorney

If you become mentally incapable of handling your affairs who will look after them for you if you haven't appointed anyone to do so? If this happens then an application would have to be made to the High Court to have a Court Official appointed. An Enduring Power of Attorney would solve this problem. The advantages are:

- It costs €6,000 approximately to apply to court between medical and legal fees etc. This cost is saved.
- Someone who loves and cares for you is appointed as opposed to a stranger. This person should be aware of your likes and dislikes and would be better placed to make medical/person care decisions for you.
- If you wish, limitations can be placed on your attorney's power in the document (e.g. what the attorney can/cannot do).
- People are living longer now and medical/nursing care costs are getting more and more expensive. Important decisions can be made for you locally to deal with this. Your solicitor will explain this to you in more detail.