



WATSON ESAM
Solicitors

Private Client Newsletter

Issue 2 - October 2009

Welcome to our Private Client Newsletter. Our private client team is always up to date with the latest news and developments in law, and is here to help. We hope you will find it useful if we share some of this information with you.



November is Will Aid month!

Will Aid is an annual fundraising campaign run by nine of the UK's leading charities. These charities work all over the world helping people with life's essentials like clean drinking water, food and health care, helping people to build their communities and improve their future.



ActionAid
British Red Cross
Christian Aid

Help the Aged
NSPCC
Save the Children UK

SCIAF
Sightsavers International
Trocaire

The scheme enables people to make a will and have the fee for drafting it donated to Will Aid, as the participating solicitor gives their time free of charge. There is a suggested minimum donation of £75 for an individual or £110 for a couple drafting mirror wills.

Despite the doom and gloom, and the economic downturn the scheme was a huge success in 2008 raising a massive **£900,000** across the county.

Taking part for the first time in 2008, Watson Esam is proud of its contribution to the success, raising more than **£4000**. Lauren Smith is Watson Esam's wills and probate expert and decided to take part in the scheme as she felt it fitted well into Watson Esam's commitment to help charities wherever possible. Lauren said "Will Aid is a fantastic opportunity for people to make a generous donation to charity, whilst safe in the knowledge that their will is drafted by a qualified professional. We are happy to give our time free of charge for this worthy cause."

More than 1000 solicitors took part in the scheme throughout the country in 2008. Lauren is delighted that not only did she prepare more wills than anyone else in the county, Watson Esam came twelfth in the whole country!

Lauren will be giving her time again in November this year and hopes to be able to raise even more money for the charities. Taking part is easy, here is how you can join Lauren and do your bit for charity:

- **Organise your thoughts**
- **Consider whether you want to leave a legacy in your will to a charity**
- **Arrange a Will Aid appointment with Lauren Smith for some time during November**
- **Meet with Lauren to discuss your requirements and have your will drafted**
- **Make your donation**

Watson Esam has many years experience of helping clients to write wills which plan for the future of their family effectively. For further information or to make an appointment, contact Lauren Smith on 0114 275 3350 or email lauren.smith@watson-esam.co.uk

Powers of Attorney change

On 1st October the new, simplified lasting power of attorney forms were introduced. The old 25 page forms have been replaced with clearer and shorter 11 page forms.

These forms still come in two parts (property & financial affairs and health & welfare) but are significantly more straightforward than the old forms.

Watson Esam's wills and probate specialists have many years experience of advising clients regarding powers of attorney. We recognise how important it is to have one in place, and so to help with the cost, we are currently offering our clients a special package whereby we will draft one part of the power of attorney and register it at the Office of the Public Guardian for an inclusive fee of £725. Or, for £990 we will complete both parts of the power of attorney, if required, and deal with the registration of both of them, saving £460 on the normal cost. This offer is only available until the end of this year so in order to take advantage of it please call and make an appointment to discuss your requirements.

For further information, or to make an appointment, please contact Lauren Smith on 0114 275 3350 or email lauren.smith@watson-esam.co.uk.

Where there's a will?

Disputes about wills and inheritance are on the increase. Whether this is due to rises in property values and personal wealth in recent years or an increase in second marriage families, our solicitors are now dealing with many arguments where people are challenging a will, there is no will left (intestacy) or a will is left but is out of date.

A will can only be challenged in set circumstances. These include:

Incapacity

For a will to be valid the person making it must be able to know what he or she is doing when preparing and signing the will.

Undue Influence / Fraud

To be valid a will must be made by a person voluntarily and without pressure or deceit.

Invalid will

For a will to be valid it must be in writing, signed and properly witnessed. A beneficiary under a will cannot be a valid witness.

Estoppel

Where a person can show that the deceased had promised property to them and they have relied on that promise.

In some cases people die without making plans to provide for everyone that they should. In these cases an application to court can be made to make sure they are provided for. These claims can be made by spouses, civil partners, children, co-habitees or people treated as family by the deceased.

For further advice and assistance contact Jonathan Holsgrove on 0114 275 3350 or email jonathan.holsgrove@watson-esam.co.uk. Our extensive experience and non confrontational approach to these sensitive issues promises the most practical and speedy solution to your problems.



Discount Voucher

Why make a Will?

- A will ensures that your estate passes in the way you want following your death.
- A will provides for your loved ones who may not otherwise be provided for.
- A will can ensure your spouse inherits all of your estate which they may not otherwise be entitled to.
- A will can deal with tax planning to reduce or eliminate inheritance tax liability.

£20 off a full cost single will or £40 off full cost mirror wills with this voucher.



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For further help and assistance on any issue relating to wills, trusts, probate or powers of attorney, contact us on 0114 275 3350 or Lauren.smith@watson-esam.co.uk