

## **Wills**

Making a valid will is the only means by which a person can be sure that their assets will be distributed according to their wishes. A deceased estate will usually be dealt with more quickly and cheaply if there is a valid will executed. A person should review their will and the requirement for any changes on a regular basis.

### **Who can make a will?**

Any person over 18 years can make a will. A person must have the requisite mental capacity to understand what he or she is doing, the extent of their assets and their obligations to family members.

Where there is any question as to a person's mental capacity great care must be exercised when making a will as it may later be subject to challenge. It is always prudent in such cases to have the will prepared professionally.

### **Should a lawyer prepare the will?**

There is no legal requirement that a lawyer must prepare a will. However, it is strongly recommended to have someone possessing legal knowledge to prepare the will. The cost of a will drawn by a lawyer should be discussed prior a first appointment.

It is imperative that if a person wants to draw up their own will they take great care to fulfil all the formal requirements for making a will. If that does not occur the will may not be valid and the person may die intestate or considerably greater expense may be involved in a court deciding what was meant or intended when the will was written. Such a process is likely to be time consuming and costly. Having a will prepared by a lawyer should prevent this from happening.

For further information about wills including quotes to prepare wills please call David Ward at MorganWard Solicitors on 8272 5066.

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