

1. The client's wishes are generally (subject to any claim under the Inheritance (provision for Family and Dependants) Act 1975) respected on his or her death.
2. The stringent application of the intestacy rules contained in Part IV of the Administration of Estates Act 1925 (as amended) are avoided.
3. It ensures that where second families are involved there is fair consideration of all the parties involved.
4. A Testator can leave specific bequests to individuals or charities.
5. Any executors appointed are willing and able to act and they can begin the administration of the estate immediately after death. An administrator appointed on an intestacy only has authority to act when Letters of Administration are issued.
6. If there are children of the family, the Testator can appoint guardians to look after them in the event of both parents death and in some circumstances with a surviving parent.
7. The Testator's wishes (if any) as to burial or cremation can be immediately consulted and taken into account in the funeral arrangements.
8. Any additional powers the Testator wishes to give to the personal representatives can be clearly set out making the administration of the estate easier for them. It can also release them from the strict obligations imposed on the personal representatives through statutes.
9. If carefully drafted, the inheritance liability will be mitigated if the estate falls with the inheritance tax brackets.

The above briefly outlines the advantages of making a will and whilst you may emphasise all these points to your client on your first meeting they are unlikely to absorb all these advantages immediately.

Every probate department should, therefore, have a pamphlet for the client to take home and to consider in their own time. It can also act as a marketing tool, as they may also pass on the flier to interested friends or relatives.

One example of such a pamphlet can be found at [www.step.org](http://www.step.org) under their publications section.

### **Task 1**

See also: [www.bbc.co.uk](http://www.bbc.co.uk) and enter 'Dangers of not making a Will' in the search box.