

## Service

Rural Age Concern Darent Valley (RACDV) provides a low cost Will Writing and Advice service for elderly or disabled clients who are resident in the RACDV area of benefit. A legally valid Will is simply a written document which states who you wish to receive what of your property when you die, written clearly with nothing missed out, in a precise manner that can only have one meaning, and in a manner which complies with the laws of the land on the date that your Will was signed and witnessed. We recommend everyone should make a Will, no matter how small the estate may be. If you die without making a Will, you will be intestate and your property and apart from the considerable problems and anxiety that may result, any assets (property, house contents, money, etc) you legally own will be given to your relatives or the State in accordance with the laws then applying, which may be different to how you would have wished.

Many elderly clients are put off by the high costs charged by solicitors, so Age Concern provide this low cost service for relatively simple Wills, normally involving no significant beneficiaries under 18 years of age and no Trusts, although we accommodate small bequests to those under 18 years of age at the date your Will was signed. A contribution is requested from the client to permit us to maintain our services to the elderly, at an amount dependant on the amount of work and responsibilities involved. Where a home visit is necessary there will be an additional contribution dependent on the mileage/time involved. Clients outside our area of benefit will be required to pay a surcharge per Will. If we are of the opinion that a solicitor would be more appropriate to represent your interests we will inform you accordingly and can recommend a local solicitor who will provide a reliable, but more costly, service. See Information Sheet 25 for price information on contact John Arnold on one of the above phone numbers.

Our Will Writing service will answer any queries you may have on making a Will: will generally advise you on all relevant matters and what your options are in your particular circumstances; will advise on the procedure if your Will is contested or if you are considering contesting the Will of another person; will initially advise on inheritance tax (amended in October 2007) and other taxation matters where these may apply but you will be advised to consult a professional advisor if felt applicable, will advise on your burial wishes, will initially advise on discretionary trusts to save tax and/or Community Care charges for long term care; will advise on guardianship of Children; will advise on inventories, will meet with you to take instructions; will draft the Will; will allow you to proof read, understand and agree every part of the Will: will make any amendments to the Will required; will instruct you how and where to sign; will provide two independent witness to witness your signature and to sign your Will; will supply up to five free copies of your Will to you; will advise you on the safe keeping of your Will; will advise on Executors; will supply specially printed envelopes to keep your Will in; will visit the housebound for a small charge to extend this service; will supply a special six page form for you to fill in which contains your instructions to your next of kin and your executors; will advise executors of procedures to be followed in administering a Will and in obtaining probate (or letters of administration where no valid Will exists) and of the addresses and telephone numbers of the Principle and Sub-Registries of the Probate Division.

John Arnold, our Chief Officer, would be pleased to answer any initial queries you may have. If you then wish to proceed with making your Will, you will need to contact our office to make an appointment for an interview with John Arnold, when he will then guide you through the process and take your instructions. At this interview, you will preferably need to have selected at least two persons that you can name as executors - persons whose responsibility it will be to apply for probate and to administer your Will after your death, and generally to carry out your directions in your Will fully and correctly. We advise against having only one executor, but you can have more than two if you wish. The executors, who should be people you trust, can be beneficiaries within your Will, and it is perfectly in order to have the main beneficiaries in your Will as your executors. It is recommended that you seek the pre-agreement of any person named as an executor before you select them. It is also advisable at this interview if you have the full names and address's, including post codes, of all executors and beneficiaries that you wish to name in your Will and any other specific information that may be required. You may wish to give some thought to what you want to happen, should any person named in your Will pre-decease you – known as a second eventuality. Whilst you do not have to list all your assets in your Will, it is advisable, and helpful to your executors, if they are aware of all your assets and where these are located, either by reference in your Will or certainly within your instructions to executors on the special form we provide. A legally valid Will is normally enforceable legally, whereas any wishes, additional notes, instructions (not codicils) or forms left with or intended to supplement your Will may not be.

After the interview, your instructions will be used to draw up your Will, a process that normally takes several days. When ready for proof reading, we contact you to visit the office at your convenience to carefully read your Will. We will assist you in understanding the contents, make any amendments necessary, show you where and how to sign - and in front of two independent witnesses we supply who will also sign to conform to current legal requirements, supply you with your original Will in a special envelope, up to 5 copies of the Will, and a 6 page form Instructions to Executors. We will advise you on keeping the Will safe and what information you need to give to your executors. Please note that acceptable Proof of Identity will be required of the Testator, the person making the will, prior to your completed will being given to you. We can on request supply you with drafts of Order of Burial Service, Letters to Executors, Inventories, etc. Your Will instructions are strictly confidential and we cannot discuss these with any other person.

We recommend you re-read you Will annually to ensure it meets with your continued wishes. Should you subsequently wish to change anything or have any queries, or someone mentioned in your will dies, you should contact us for advice. Should any subsequent

amendments be required, a further contribution dependant on the time required is payable. This information sheet is intended for general guidance only and Age Concern accepts no liability under any circumstances for claims arising from it in any manner. Do please contact Age Concern should there be anything that you do not fully understand or should you have any queries.