

In the event of your death who would take care of your children?

Make a Will

& YOU Decide

Nobody wants to think about death – especially their own – but if you have children it is especially important to make sure that should the worst happen, your children will be taken care of.

Northampton Will Writer Tim Mayes says everyone should have a Will.

Child magazine asked why.



Photograph by Anna Hendry

CHILD MAGAZINE : WHY YOU NEED TO HAVE A WILL

Seven out of every ten people die without a Will, and often it is left up to the courts to decide who gets what.

Northampton dad of five Tim Mayes is a legal consultant specializing in writing Wills. He says everyone – and especially anyone who has a child or children - should have a Will.

Why is it so important for parents to make a Will?

As soon as you have children their welfare is your main concern. You want to make sure they are looked after in the way you want. If you make a will you can name a suitable guardian for your children in the event of the death of both parents. A guardian is someone appointed by a child's parents to take on all of the parental responsibility in the event of the parents' death.

If there is no Will, then the courts must appoint a guardian – and that may not be the person the parent would want.

How do you choose a Guardian?

You need to choose a guardian very carefully as your children may end up living with them. There are practical and moral considerations. Choose somebody you can trust, who is reliable and responsible. Ask them if they are willing to be guardians to your children in the event of your death.

Consider practicalities and moral issues such as discipline, and the overall well being of your child.

Are there any other reasons why you should have a Will?

A Will is our 'final word' and it is essential to make a Will for a range of reasons. It will ensure that your assets go to the people of your choice. It will protect the inheritance of 'minors' (children), and will avoid family disputes.

On the financial side having a valid Will can reduce Inheritance Tax (this is currently 40% of everything in an estate over £275,000) and ensures that the estate is distributed quickly and with minimum costs in legal fees.

If you are married doesn't everything automatically go to your spouse?

No. This is a common misconception. Any joint owned property will automatically pass to the other owner, and yes, the wife or husband will inherit most of the estate, however, the laws which govern the affairs of those people who die without a Will mean that children or parents/brothers/sisters also share in the estate of the deceased. So you can see why making a valid Will is essential if you want to ensure that the people of your choice benefit from your estate.

How do you get a Will written and how much does it cost?

You can use a professional Will writer, a solicitor or a bank and some building societies now offer Will writing services too. It is better to have your will tailor made for your needs as it is a technical legal document and it is not surprising that many 'home made' Wills end up in the courts due to their ambiguity.

Professional Will writers JMD Associates charge £29.50+vat for a single person or £59+vat for a couple. This includes coming to your home to discuss it, and there are no hidden extras.

Once a Will is written what happens to it?

You need to have your Will stored somewhere safe and secure. If it can't be found or has been accidentally destroyed then it is not valid. Most people pay to have it stored either in a bank or building society or with their solicitor. JMD Associates charge £25 a year for storage of a will.

For more information on
writing a Will
contact Tim on
01604 412930