

**Where There's a Will There's a Way**

Incredible though it seems, there are roughly 27 million adults in the UK who do not have a valid Will. A couple of years back the polling company UGov undertook a survey to find out how many out of a polling group of 1,794 had done Wills. 38% said they had written a Will, while 62% confessed to having no Will.

A Will enables you to say who gets what when you die. It avoids your estate being administered through the laws of Intestacy. If you are in a relationship with another person outside of marriage or civil partnership, the survivor will not automatically become the beneficiary of your estate. That person might receive nothing. Your assets could then go to surviving children and possibly to estranged former wives or husbands. The worst case scenario is that in the absence of any close relatives, the government becomes the ultimate beneficiary.

As we all know, second marriages are now very commonplace. If your surviving spouse or partner marries after you die, it is possible for your share of your home and savings to go to the new spouse or partner or their children completely by accident. This is because a marriage automatically cancels out an existing Will. You can imagine the difficulties this can create.

You therefore need to keep on top of your plans regarding who will inherit your hard earned wealth. I am afraid that shrugging your shoulders and burying your head in the sand is the poorest of all options.

Remember the case of Joy Williams. Her long term partner did have a Will, but forgot to update it before he died. As a result, his share of their house valued at £320,000 went to his ex-wife. Joy decided to take the case to court, and fortunately the judge ruled in her favour. She told the court that she wanted some financial security as she had no other means of support. She reported afterwards that taking the case to court had taken a huge toll on her and her family. Her partner's ex-wife contested the case saying that she had had a complicated relationship with her ex-husband for the last 18 years of his life – she was ordered to pay costs of £100,000 within 42 days.

So don't get caught out. Now the New Year is here review the question of making a Will as soon as possible. Do contact me here at Busbys on **01288 35 9000** if you would like a Will done, and see Busbys advert in this publication.

**John Busby**

**Busbys Solicitors**

**Bude & Holsworthy**