

MAKING A WILL AND LAST TESTAMENT

Jordans Solicitors LLP

By your side since 1925

A guide to help you

For many of us, making a Will is something we know we should do but never quite get around to. Of course, it's important not to put it off and making a Will could be much quicker and easier than you think.

Our Lawyers and staff have a wealth of experience in creating Wills and make the process fast, straightforward, and hassle-free. Once in place, you'll be able to relax knowing that you've planned for whatever the future, may bring. We can also store your Will safely free of charge protecting it from loss or damage.

With expert knowledge in all areas of wills, our friendly Lawyers will create a Will that's right for you and your family. They'll put you at ease and explain everything using plain English.

With almost two-thirds of adults in the UK not having a Will, you must get it right. For Example:

If you are not married or in a civil partnership your relationship, no matter how many years you have been together, will not be recognised and your loved one could be left without anything, including a home. If you are part of a broken marriage, without planning, your spouse may still inherit from your estate, regardless of the years, you have been separated. Or in a second marriage, which may mean your family from the first marriage may not get all that you or they expected. Act now to ensure your estate passes to the right people.

We are local

We invite you to come and talk through your requirements during your face-to-face appointment - that's the nice thing about being local. If you're not able to make it into our office, we can also accommodate telephone and video appointments.

Call us on **01302 365 374** to arrange a free no obligation appointment to discuss your requirements and find out what we can do for you

Guide Disclaimer

This guide is provided for information purposes only. We have done our best to ensure that the information contained in this guide is correct as of 07.01.2026. It applies only to England and Wales. However, the guide has no legal force, and the information may become inaccurate over time, due to changes in the law. Information within this guide may be over-simplified and the information contained within it does not constitute legal advice and we will not be liable should you rely on this information. Before you take any action, you should always seek legal advice from a professional with an in-date practicing certificate.

What type of Wills do we offer?

Standard

- You decide who gets what – leave personal possessions or money to family, friends, or charity
- Decide what age any children should benefit
- Set out any funeral wishes
- Appoint a guardian to take responsibility for any children under 18
- Choose who you'd like to appoint to make sure your Will is followed

Asset Protection

Everything covered by a Standard Will but also more complex issues such as:

- Issues concerning stepchildren or a second marriage
- The protection of gifts to ensure they go to your children of a previous relationship
- Giving a gift to someone just for their lifetime – such as your house
- Dealing with complex business or assets structures
- Provision for the ongoing care for someone with a disability or who needs protection
- Reducing the risk of your property being used for the cost of care
- Excluding someone who would otherwise expect to be included
- Reducing the risk of your Will being challenged or being the cause of a family dispute

Standard – Single Will

Costs	£150.00
VAT	£30.00
Total	£180.00

Standard – Double Will

Costs	£260.00
VAT	£52.00
Total	£312.00

Asset Protection – Beneficial Trust Will

Costs	£575.00
VAT	£115.00
Total	£690.00

Severance of Joint Tenancy

Costs	£150.00
VAT	£30.00
Disbs	£8.40 (Land Registry Off Copy) E
Total	£188.40

Complex Wills

including IHT, Discretionary Trusts, Estate and Elderly Planning Advice. Price on application following meeting charges to be discussed prior to any work being carried out.

Protector Plus Will assumes your Land Registry Title reflects that the property is held as Tenants in Common in equal shares.

See our Will's and LPA Packages to see what savings can be made.

Planning ahead – the steps involved

1

Decide who will get what

Whether this is your first will or you are updating an existing one, it is only by having an up to date will that you can decide who gets what. You will also have other important decisions to make, such as your funeral wishes and guardianship for any children you have. One of our specialist Lawyers will guide you through what you can cover in your will and make sure that your aims are achieved.

2

Legal responsibility for carrying out your wishes

As part of the will making process, you can appoint someone you trust to have responsibility (and legal liability) for carrying out the wishes set out in your will. To save placing a burden on your family we can offer to do this for you. We will guide you through your options.

3

Appoint a Lasting Power of Attorney (LPA) – Optional

In addition to having a will, you should also consider if you need the extra legal protection of an LPA. Without an LPA your partner or family cannot automatically take over if anything happens to you so that you are no longer able to make decisions for yourself. Having an LPA means that you can appoint one or more people, who you trust, to make these decisions for you (if the time comes).

4

Amendments and approvals

As part of our service, we will give you your draft will (and LPA if you decide to have one). Your Lawyer will ensure that you fully understand them and whether you want to make any changes to reflect your wishes. This is your chance to ask any questions you have and make any alternations needed.

5

Signing

We will ensure that you sign you will (and LPA if having one) properly, to ensure that there are no problems for your family. We will also make sure that they are witnessed correctly. This is essential; if mistakes are made it can make your will invalid. We consider this to be an important part of our service to you.

6

Secure storage

Finally, we offer free secure storage of you will. With us there are none of the annual charges you get with other companies. Our service means that the latest version of your will can be easily found when the time comes.

What happens if you do not have a will?

Most people do not realise that if you do not have a will in place, then the law will decide how your money and possessions will be distributed (following the intestacy rules, see page 6 for more details). The result may not be what you would have wanted and could causes future legal problems for those that you love.

The list below provides some of the other problems that might affect your situation if you do not have a valid will in place.

No Will

You give up the rights to decide what happens to everything you own if you do not have a will. Instead, the intestacy rules apply, and you will also have no say over who is appointed to distribute your property under these rules.

The Will is not valid

None of your wishes may end up being carried out if your will is made without using a solicitor who has ensured that it is legally valid. Instead, either an older will or the intestacy rules are likely to be applied.

Not married or in a Civil Partnership

Your partner may not get anything under the intestacy rules if you and your partner are not married or not in a registered civil partnership. This applied however long you have been together. This may force them to bring a legal challenge.

Separated but not divorced

Your ex-partner may still get everything. This can happen under the intestacy rules if you had been married or in a civil partnership and have separated but not divorced or has a judicial separation.

Home over £322k

If you have children, the family home may have to be sold rather than being left for your spouse or civil partner to live in. This can happen under the intestacy rules if your home is part of your estate and with other assets is worth more than £322,000 (after mortgage). They will only get £322,000 plus half of the balance and your children will receive the other half. This may force a sale of your home.

Key people left out

Your friends and favorite charity do not get anything. Your wider family , Partners , Friends or favourite charity or pets may not benefit under intestacy rules

Rules of intestacy

Who will inherit your possessions and money if you die without a will

Are you married or in a civil partnership?

YES → Spoused survive you by 28 days?

- NO → Everything passes to your spouse or civil partner
- YES → Is your estate worth more than £322,000?
  - NO → Everything passes to your spouse or civil partner
  - YES → Do you have children, grandchildren, or other direct descendants?
    - NO → Everything passes to your spouse or civil partner
    - YES → Your spouse or civil partner is entitled to all assets (including property) up to £322,000 in total value, as well as all your personal possessions (no matter their value)

    Your spouse or civil partner will also receive half of the remainder of the estate after the initial £322k. The other half of the remainder if the estate will be divided equally between your surviving children.

    If a child has died before the intestate, then their children will inherit in their place, each equally sharing their parent's entitlement.

NO → Survived by children

- YES → Everything is shared equally between your children.
- NO → Survived by parents
  - YES → Everything is shared equally between your parents.
  - NO → Survived by siblings
    - YES → Everything is shared equally between your siblings.
    - NO → Survived by half-siblings
      - YES → Everything is shared equally between your half-siblings.
      - NO → Survived by grandparents
        - YES → Everything is shared equally between your grandparents.
        - NO → Survived by aunts and/or uncles
          - YES → Everything is shared equally between your aunts and uncles.
          - NO → Survived by half-aunts and/or half-uncles
            - YES → Everything is shared equally between your half-aunts and half-uncles.
            - NO → Everything is passed to the Crown.

*The above is accurate in England and Wales as of the 07.01.26 and subject to any Claims against the estate that may be brought by a party who is not eligible under the core intestacy rules

Frequently asked questions

I have my own business – can I use my will to protect it?

You can use your will to protect your business in the following ways;

- If you are a sole trader, then you should consider putting into your will the right for those who carry out your wishes to continue trading and use your resources. This could mean maximizing the value of the business rather than your death causing a forced immediate sale.
- If you are in a partnership with other people and there is no partnership agreement in place, then your death may simply bring the partnership to an end forcing a sale of the business. This would not be in the best interests of your partners and could also result in those benefiting from your will having to pay inheritance tax. We can arrange for you to receive advice on having a partnership agreement that does not create a situation where the partnership comes to an end and must be sold in the event of your death.
- If you have business interests, we can advise on whether they qualify for business property relief that will save inheritance tax and if it makes financial sense to leave your business interests in a legal vehicle known as a trust.

Do I really need an LPA as well as a will?

Your will is where you decide what will happen to your money, possessions, and property when you die. However, a lasting power of attorney (LPA) allows you to decide who should look after your money, possessions and property for you whilst you are alive. By having an LPA, you have the chance to appoint someone you trust (perhaps a partner, close friend or relative) to make decisions about your medical treatment or where to live, if you ever lose the ability to make those decisions for yourself through illness like dementia or by an accident. Many people don't realise that your partner or family cannot simply take over the role of making decisions for you, unless you have already appointed them in an LPA. So, without an LPA, the court of protections would appoint an official to make those important decisions for you. Your relatives would then face a long and expensive legal process to be appointed. Young or old, we think every adult should have an LPA.

Do I really need a will?

We believe that every adult should have a properly prepared will. They are a cost-effective method of planning and the only way you can decide what happens to your property, money, and personal possessions after you die. It also means you can make decisions about what happens to your children (appointing a guardian if they are under 18). You are also able to decide what they will each receive. This is especially important, if like so many of us you have complex family arrangements.

Do I need to use a firm of solicitors to prepare my will?

There are lots of options when it comes to having a will prepared. You could do it yourself using a kit or use the services of solicitor, an unregulated will writer, bank or even supermarket. The costs involved tend to be more or less the same whoever you use. There are many problems your loved ones could face if your will is not drafted properly, these can include:

- Your wishes may not be carried out as you wanted them due to unclear or incorrectly worded instructions.
- Your will may not benefit from advice on new changes in the law.
- Your will could be open to legal challenge.
- Unnecessary payments of inheritance tax.
- Your will won't be legal valid.

Do we believe it makes sense to use the services of an expert firm of solicitors like Jordans Solicitors LLP, who use their legal skills to avoid these problems. The other difference you get using our firm is that your will, will be properly prepared to suit your circumstances and wishes, not just using standard wording that may not exactly represent what you want.

Checklist

Helping you to prepare

Personal belongings:
Your will is where you choose any personal items that you would like to give to the people you care about.
We will need:

a. Details of the gift
b. Their full names, addresses and dates of birth

Gifts of money or property:
Decide if there are any gifts of money that you would like to give.
We will need:

a. Details of the gift
b. Their full names, addresses and dates of birth

Everything else:
After any gifts made by you, payment of tax, debts, and your funeral costs, you need to decide who you would like to receive everything else. This is usually your partner, charity, or your children.

Replacement wishes:
With your gifts to your partner or children (or anyone else), you may want to set out who should get their gift if they die before you. For example, a gift to a child is often then shared equally between their children (your grandchildren).

Charity:
If any of your gifts above are to go to a charity you will need to double check the name and address.

Total value:
To help us give you the best advice, it is helpful if you can list the main items you own with an approximate value.

Guardian for children:
If you have children under 18 years of age, you can decide who you would like to appoint as guardian to look after them if both you and their other parent where to due. This is usually a trusted close relative. You will need to discuss this with them as they would need to have the capability to take on this role.

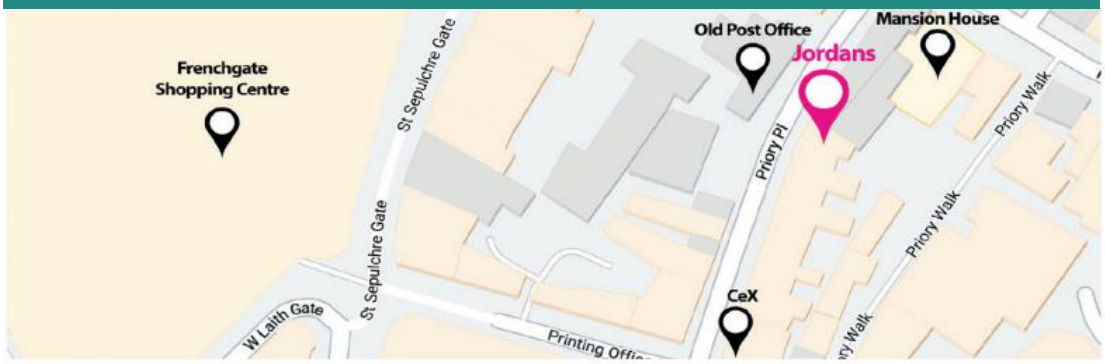
Your funeral wishes:
You can use your will to give your preference for burial or cremation and any religious requirements. Whilst it does not bind your executors, it highlights the importance of appointing people you trust to carry out your wishes.

Legal responsibility for carrying out your will:
You will need to appoint an executor to administer your will after you have died, this is someone you trust to ensure your wishes are followed. Most people choose two executors. You need reliable people who would work well together and be able to cope with the important legal responsibility. It can be quite a burden, so we would be happy for you to appoint your firm to do this for you, perhaps working alongside a trusted friend or relative. We can explain the costs involved – so that you know your affairs are left in a safe pair of hands. If you have anyone in mind, we will need their name and address.

Lifetime decisions – your finances, medical treatment and where you live:
Your will covers your wishes for when you die. However, as an optional extra we recommend that in addition to your will you also put legal protection in place in case of accident or illness. This is to ensure your wishes are carried out if you are unable to make decisions for yourself whilst still alive. This can cover important decisions about your finances, where you live and your medical treatment. The separate document to your will is known as a Lasting Power of Attorney (LPA). In it you get to appoint someone you trust to step in to make those decisions for you. Without it your partner or family do not automatically have the legal power and instead the court steps in. It costs extra now but can save money in the long run. You can read more on this in our 'Lasting Power of Attorney Guide' and see the savings made if you proceed with a Will and LPA in our 'Wills and LPA Package Leaflet'.

Where can you find us

Doncaster



Kiveton Park - Sheffield



Our key promises:

- Direct Lawyer Contact
- Free Initial Assessment
- Flexible Openings*
  *Contact your local office for availability
- Clear Price Guarantee
- Same-day Response

Next steps

Take advantage of our **Free Initial Assessment** to find out what suits your needs. To get in touch, call us on **01302 365 374** or email your query to **info@jordansllp.com** to receive a response from one of our experts

By your side since 1925

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