

## Why Should I Use A Solicitor To Make A Will?

You can get a Will made at the bank, buy a "Will Pack" from the supermarket or download a form from the internet with which to make your own "DIY Will". There are lots of Will Writing companies around too, so why do people use legal professionals?

Here are just a handful of reasons...

### SOLICITOR VS WILL WRITER VS DOING IT YOURSELF

#### SOLICITOR/LEGAL PROFESSIONAL

Legal professionals have the necessary experience and skill to ensure that a watertight Will is written that truly carries out your wishes. Wills can sometimes be complex and a trained legal professional, in addition to putting your instructions down on paper, can also provide advice on things like inheritance tax, or discuss whether Trusts maybe required to protect vulnerable beneficiaries. At Banner Jones, our solicitor led teams can guide you through the process step by step giving you the peace of mind that your wishes are met.

#### WILL-WRITING COMPANIES

The "Will-writing" companies you see advertised are not law firms and the Will Writers may not have any legal training. Some do have training so it's always best to check, but even if they do, they will not be regulated, in fact Will-writers are completely unregulated and, are therefore not accountable to any professional body. If you had cause to complain after using a Will-writer, there are no guarantees that your complaint will be dealt with. The same is true for a Will you wrote yourself. Law firms, however, are bound by strict regulations set by the Solicitors Regulation Authority and in the unlikely event that you were not happy with the service provided by your solicitor; you have the safety net of a complaints procedure that you can follow.

#### DIY

We like to compare DIY Wills with DIY Dentistry, you can do it yourself but it's not advisable! With so much at stake, we encourage you to honestly answer the following question: Do you know what you are doing well enough to bet everything you have on it? For the benefit of your executors, legal professionals generally ensure Wills are "jargon-free" except where it is important to use a word with a specific legal meaning to avoid ambiguity. Small differences in the wording of gifts, for example, can produce quite different results. Home made Wills and non-professionally drawn Wills are often unclear and legally uncertain, the consequences of which can be expensive to sort out and put right.

There are strict rules governing how a Will must be signed and witnessed in order for it to be legally valid. Without proper legal knowledge and training, it is easy to fall foul of these criteria and make the Will you made by yourself or by an untrained/unregulated Will-writer, worthless. The best way to ensure that your last wishes are clear is to instruct a legal professional.



#### INSURANCE

All law firms must have Professional Indemnity Insurance, which means that your beneficiaries could make a claim for compensation in the unlikely event that your Will has not been written properly. Will-writers do not have to have insurance. If something went wrong, you would not have the back up of proper insurance.

#### SAFE STORAGE OF YOUR WILL

Your will may need to be stored for many years before it is used, therefore it is imperative that your Will is stored somewhere safe and dry where it can be easily retrieved when needed. Law firms are bound by strict rules governing how they store Wills and, even if a firm goes out of business or is taken over, the Solicitors Regulation Authority keeps track of who takes over custody of all the Wills they were keeping. Some law firms do charge for storage so it's worth checking, Banner Jones will store your Will for free for life.

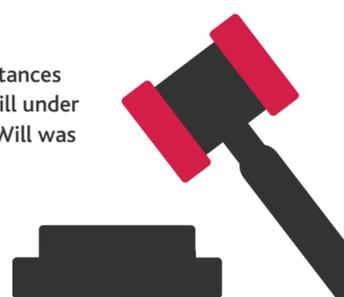
Not all Will-writers offer Will storage, and those that do may not have fire proof safe rooms. Another factor to consider is that if a Will-writer goes out of business, there is a good chance that any Wills kept will be lost due to the lack of a regulating body.

#### CHALLENGES POST-DEATH

A Will can be challenged after your death if there is reasonable doubt about the circumstances in which your Will was made. Two common examples of this are; 1/ if you made your Will under pressure from someone else, or 2/ if you had sufficient mental capacity at the time the Will was made.

Legal professionals ensure that such doubts are removed by the use of a proper "attendance note" that, backed by their insurance, shows instructions are taken from a client with sufficient mental capacity and under no pressure from anyone else.

Unregulated and "DIY" Wills may not be able to withstand challenges about how the Will was made as well as those made by a solicitor.



#### INDEPENDENCE

Many organisations through which you can write a Will, your bank for example, insist on being appointed as executors. Creating a Will with a solicitor ensures that you retain flexibility and decision making with regards to the choice of executors. Your will: your choice. Appointing a professional executor such as a solicitor can be a benefit however, as it does take the pressure away from your grieving relatives and they have experience in administering Wills and estates.

If you're thinking about using a legal professional to make your Will, we can help. Get in touch today on [info@bannerjones.co.uk](mailto:info@bannerjones.co.uk)

## Why Choose Banner Jones?

**£ FIXED FEE PROMISE**



**97%**

Fixed Fee Promise on Wills & Probate

Wealth Management advice available

Home and Hospital visits available

Free Will storage for life

Free registration of all Wills on 'Certainty'

Quick turnaround on Wills

97% of our clients would recommend us to a friend

If you're thinking about using a legal professional to make your Will, we can help. Get in touch today on [info@bannerjones.co.uk](mailto:info@bannerjones.co.uk)

Phone: 0330 017 6309 Web: [www.bannerjones.co.uk](http://www.bannerjones.co.uk)

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