

For immediate release

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CHOOSE A PROFESSIONAL IF NEWS HEADLINES ENCOURAGE YOU TO DRAW UP A WILL

Wills have been making news and soap headlines recently, for a variety of reasons that the Institute of Professional Willwriters **(08456 442042)** hopes will help decrease the number of us who never draw up a Will.

Wills are needed for different purposes, as recent cases show. On the one hand, they distribute our wealth and possessions after we pass away, but they are also the vehicle through which to make arrangements for our children, should we die unexpectedly.

The IPW warns us to take a wide view of what our 'wealth' might be. A Will not only distributes hard cash, savings, homes and property and other financial assets, but also relates to individual items we may own. The majority of us have something to which others would attach a value, whether that is monetary or emotional. Where one person would like it, there is likely to be another feeling just the same. A Will means that you decide to whom you would like it to go.

The clamour for the estate of Anna Nicole Smith is a classic scenario following a death. In her high profile case, a Will has been found, leaving everything to the son whose death has preceded hers. The moral of this tale is to update a Will, on a regular basis, to take changing circumstances into account. Now, her estate may pass to a person or people for whom she had little regard.

Then there's the case of soccer legend George Best, who left the majority of his estate to his sister and father, not his son Calum. Had George died intestate, his estate would have passed to his son, as the law would have regarded him as next of kin. As it was, Calum Best only received a memorial watch from the 1994 World Cup in his father's Will. The Will ensured George's wishes were followed.

Soap operas often mirror real life and the murdered Tom King, in Emmerdale, had a Will drawn up before his marriage to Rosemary and he made it *in contemplation* of his marriage to her. Had this not been the case, his previous Will would have been invalidated, due to his marriage – a fact few of us appreciate. The same situation also applies after a Civil Partnership, which again comes as a shock to many.

In Coronation Street, the murdered Charlie Stubbs appears to have died intestate, with no relatives having thus far appeared. One thing is certain, his killer, girlfriend Tracy Barlow, will not inherit his estate as an unmarried partner has no rights under intestacy. This is good news for the Chancellor, who inherits if there is no Will and no close relatives.

Arrangements for children in the event of a death of parent or parents also need to be detailed in a Will. Eastenders' Martin Fowler became the legal guardian of his daughter Rebecca and acquired parental responsibility for her on the death of her adopted grandmother through her adopted grandmother's Will.

Whether the legal situation has yet dawned on Eileen Grimshaw, on the cobbles of Coronation Street, is not certain. Whilst she and son Jason, the father of baby Holly, dumped on the doorstep at Christmas, are bringing the child up, Eileen certainly does not have parental responsibility for the child and neither might Jason.

Fathers who do have parental responsibility in the eyes of the law are those who were married to the mother when the child was born, or unmarried fathers who were named on a birth certificate where the birth was registered on or after December 1, 2003. If you are a mother who would want your child's father to care for the child in the event of your death, but have not made a parental responsibility agreement with them, you need to name the father as your chosen guardian in your Will.

The IPW's Chairman, Paul Sharpe, says: "Nowadays, a Will is not a luxury, but a necessity. Inheritance Tax is affecting more of us than ever before and a Will is vital part of the tax planning process. Even if you are not worried about who receives your wealth and belongings, you may think differently about burdening a loved one with a huge Inheritance Tax bill.

"Our view at the IPW is that the current situation in the Willwriting sector does nothing to encourage people to make a Will. It is a totally unregulated market and even solicitors no longer need to have studied Will writing during their training. In this scenario, unregulated and untrained willwriters can completely decimate a person's last bequest. The IPW finds this totally unacceptable, which is why we are the only body to have self-regulation and to insist that this regulation is meaningful."

Being a member of the IPW is not just a matter of paying an annual membership fee, as is the case with other bodies in the profession. An IPW member needs to pass examinations in Willwriting, maintain an on-going programme of self-development and have a minimum of £2 million in professional indemnity insurance. They need to operate within a Code of Practice, which has an independent complaints procedure and they also have to prove they have no criminal convictions.

Whether the news relating to Wills in the headlines will make a difference to the number of us drawing up a Will is yet to be determined, but at least those who do choose to do so can access the services of a fully trained professional via the IPW. Call **08456 442042** to find your local member, or visit www.ipw.org.uk for more information.

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