

THE IMPORTANCE OF MAKING A WILL



SECURING YOUR WISHES AND ENSURING PEACE OF MIND

In life, few decisions carry the weight of planning for what happens after we are gone. Although it might seem like a daunting task, creating a Will is one of the most important legal documents that you can prepare to ensure security and peace of mind for yourself and your loved ones. A Will not only provides clarity on how you wish your belongings to be distributed but also safeguards your intentions, ensuring they are respected when you are no longer there to express them. In this leaflet, we aim to demystify the process of making a Will, underscore its significance, and guide you in taking this crucial step with confidence and reassurance.

WHAT DOES CREATING A WILL REALLY MEAN?

Crafting a Will is an act that transcends mere legal formality; it is fundamentally about caring for those we leave behind. By making a Will, you take control over how your estate is divided amongst your beneficiaries, thereby preventing potential conflicts or misunderstandings among family members during an already emotional time. The absence of a Will can unfortunately lead to disputes that may fracture relationships or result in unintended beneficiaries claiming assets. Therefore, having a well-drafted Will serves as a protective shield for both your legacy and the harmony within your family left behind.

WHEN THERE ARE CHILDREN TO THINK ABOUT

Beyond the distribution of assets, Wills serve other critical functions that might often be overlooked. For parents or guardians with minor children, appointing Guardians through their Will ensures that their children are cared for by trusted individuals who share similar values and parenting philosophies. Without such provisions in place, courts would have the discretion to decide who assumes Guardianship – a decision best made by those who know their children's needs intimately rather than by strangers bound by legal constraints alone.

FUNERAL ARRANGEMENTS & CHARITABLE GIFTS

Additionally, drafting a comprehensive Will allows you to address any specific wishes regarding funeral arrangements or charitable donations – expressions of personal values and principles that endure beyond one's lifetime. When these preferences are clearly stated in writing, it alleviates much uncertainty for Executors tasked with honouring them during sad and stressful circumstances. This further underscores why investing time in preparing this document can provide immense relief.

THE PROCESS OF WRITING A WILL

The process of creating a valid Will need not be intimidating or overly complex; professional guidance can simplify it significantly. Solicitors specialising in Estate Planning offer invaluable expertise to ensure all legal requirements are met while tailoring the document precisely according to individual needs and preferences. With their assistance, even intricate estates involving multiple properties or international elements can be handled with ease.

UPDATING AN EXISTING WILL

It's important to recognise when revisiting an existing Will becomes necessary due to changes in personal circumstances such as marriage, divorce or acquiring substantial new assets which could alter previous decisions around inheritance allocations made years before under different conditions entirely! Regularly reviewing your Will remains vital throughout life's various stages to ensure it competently reflects your current circumstances. When end-of-life considerations arise, naturally prompting final revisions, ensuring that your Will mirrors where you wish your assets to go is important.

SO MUCH MORE THAN A LEGAL DOCUMENT...

Making a Will represents more than just ticking off another item on life's checklist; it embodies foresight rooted deeply in love and responsibility towards ourselves and those whom matter most dearly to us! By engaging thoughtfully with this essential aspect today – while still able – we grant ourselves peace of mind knowing plans laid forth shall be upheld when we are no longer here.

FREQUENTLY ASKED QUESTIONS...

How do I make a Will?

You can write your own Will, but it is recommended that you use a solicitor or Will Writer to ensure it is legal and valid.



What are the formalities for making a Will?

A valid Will must be in writing and signed by you at the bottom of each page. On the final page, your signature should be signed and witnessed by one independent adult without any interest in the Will.

Who can inherit from my Will?

You can include almost anyone, such as your partner, children, relatives, friends, charities, and organisations. These are called Beneficiaries.

Who should I appoint as Executor?

You should choose someone you trust and know well to administer your Will. You can name more than one Executor, which is recommended for larger estates. You can also appoint Solicitors in this role which can take the pressure away from your family when administering your estate.

Where should I store my Will?

You should keep your Will safe with a solicitor, bank, or will storage company. You should also make sure someone you trust knows where it is stored.

What happens if I die without a Will?

If you pass away without a Will, this is known as dying intestate. In such cases, your estate will be distributed based on Scotland's intestacy laws, which could result in unintended allocations. This process may lead to delays, increased legal costs, and the possibility of disputes among surviving family members.



For more detailed guidance on making a Will in Scotland, our expert team is here to help you through every step of the process.

Contact us today for personalised support and advice tailored to your unique circumstances.



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