

## Protective Property Wills

When people make a Standard Will, they usually leave everything to the surviving partner and then to their children. This is fine however Standard Wills offer no estate planning beyond the initial distribution of your estate.

There is nothing stopping the surviving partner changing their Will and in effect changing your wishes. This most often happens if they meet someone else and, in some cases, remarry.

The worst case scenario is that the surviving partner changes their Will to leave everything to a new partner. If the surviving partner dies next, then your blood children could end up inheriting nothing from your estate as they are not related to the new husband/wife or partner. Your children can make no Legal Rights claims in this scenario and would simply have to hope the new husband/wife or partner does the right thing by them.

With a Protective Property Will in place we firstly arrange a suitable legal document to ensure your residential property is owned 50/50 as opposed to joint. This allows both partners to leave their 50% share of the property usually to their children. They also give a liferent to their surviving spouse or partner which, simply put, gives them the right to stay there as long as they require the property.

If the surviving partner was to remarry this Will ensures that your children will definitely get your half share of the house regardless of what the surviving partner does as opposed to potentially nothing at all.

This also ensures your share of your property is protected for your intended beneficiaries with the added benefit that it is not used for your care costs.

Please note if you decide to take this style of Will and you decide to move home in the future it is imperative you advise your conveyancing solicitor you have this style of Will and that NO survivorship clause is added to the Title Deeds of your new home.

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