



Delivering Solutions Since 1974



**FAMILY LAW & DE FACTO LAW
WHY YOU MUST URGENTLY REVIEW YOUR
WILL & ESTATE PLANNING!**

None of us know when our "time will be up." We hope we will be around for a long time. But the reality is that accidents and illnesses happen every day. And even though we don't like to think about it, deep down we know that a tragedy could happen to anyone at any time.

With proper preparation, your affairs can be left the way you want them. **Without proper preparation**, your hard-earned assets could be dealt with as in the following situation, or worse.

The following is a true story.

A married couple separated. They owned their house in equal shares. They each saw their own solicitors and were negotiating a property settlement, but had not reached agreement when one of them was suddenly diagnosed with cancer and passed away after a short battle.

The deceased spouse had spoken to a solicitor about making a Will, but died before signing it.

The surviving spouse remained the owner of half of the house. **Because the deceased spouse died without a Will, the surviving spouse was also entitled to the lion's share of the deceased's estate, even though they were separated.**

To avoid this risk, you need to make a valid Will.

The couple had two adult children. The children could see that the outcome was not fair, so they both contested it through court. The court proceedings resulted in the children receiving a fairer share of the deceased estate, **but at a cost of many tens of thousands of dollars.**

It could have been even worse. If this couple had owned their house as "joint tenants" (as many couples do) instead of as "tenants in common," the surviving spouse would have automatically received ownership of the **entire** house upon death of the other spouse.

You may need to take steps to ensure that any property you own together with your spouse is held as "tenants in common." Otherwise, if you die, the ENTIRE property will automatically pass to your spouse.

To have our Wills & Estates Team contact you to arrange a consultation for your Will & Estate Planning, please fill in the form below and return it to our receptionist, or send it to us by fax, email or post.

Your Details:

Name:

Address:

Phone number/s:

Email:

Your Will & Estate Planning may be able to be done on a deferred-fee basis. Conditions apply.

[**Receptionist: Please pass this completed form to Kathy Fairweather or Russell Leneham**]

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