

Making a will

A will is a document that any person can have drawn up and that they then sign. It will contain instructions as to what is to happen to their assets when they die.

If a person does not make a will, their estate will be divided in a way that is set out in law. However, the people who will then benefit may not be the people the deceased person would have wished to benefit.

There are strict rules about the signing and witnessing of a will. The will has no effect until the person dies. A person can make a new will at any time.

The quotation

The firm(s) you select will give you a quotation in writing for their professional fees for a basic will, if the answers to the questionnaire indicate that your will is likely to be a basic will. The quotation may be for a specific fee or based on an hourly rate. If the quotation is for an hourly rate, you will be given an estimate of the total number of hours the firm is likely to spend working on your will.

VAT

You will also be told the rate of VAT that you will have to pay on the firm's fees.

Outlays

Finally, you will be told the amount of outlays that may be payable to any third party during the transaction. If these amounts are not yet known, you will be given the firm's best estimate.

Limits to the firm's quotation

At present, you may not really know what you need to put in your will. If you instruct a firm and they get detailed information about your affairs, it may transpire that a basic will would not meet your needs. At the end of the summary of the questions (see below), examples are given of some complex issues that might arise. If this happens, a new, separate quote will be given for the additional work. **In that case, the final fees will be the total of both quotations if your first quotation was for a particular amount.** If the quotation was for an hourly rate, the estimate of the number of hours of work the firm will have to do will have to be increased. You should budget for this possibility.

The firm's contract for legal services

- Before you proceed to instruct a firm, you can enquire about any standard terms of business being used by the firm.
- After you instruct a firm, the firm is required by law to give you written details again about the costs and outlays in your particular case. If there is no new information at that point indicating that your will is not to be a basic will, the costs information will be the same as the quotation the firm gives you now.

The solicitor's work

The solicitor's work might include the following:

Taking instructions

- Telephone discussion or short meeting with client to take initial instruction.
- Meet with client to take more detailed instructions, including the individual's particular circumstances and requirements.
- Ascertain marital, civil partnership, cohabiting, single or other status.
- Give general advice in relation to the proposed will.

Drafting the will

- Draft a will in accordance with final instructions from the client.
- Forward the draft will to the client for review and approval.
- Liaise with the client in relation to any amendments and/or further advice required.

Signing the will

- Meet with the client and arrange for them to sign the will in the presence of two witnesses.

Recording the will

- Record the will in the firm's records.
- Store the will in the firm's wills safe, if required.
- Forward a copy of the will to the client.

Solicitor's bill

- Prepare the solicitor's bill, send to client and receive payment.
- Close file.

Summary of questions for a person making a will

- Contact details - name, email, phone, postal address.
- Personal details, including marital/civil status.
- Your assets.
- Your dependants (spouse/civil partner and children).

Disclaimer

The quotation for professional fees will not include additional work that might arise from your particular circumstances. Examples would include the following, but there could also be other additional work:

- Preparation of an enduring power of attorney document, to provide for decisions to be made on behalf of the person making the will, should they develop dementia. (A separate quotation for this work can be provided, on request).
- Work related to establishing whether the individual making the will has the necessary mental capacity to do so. This might include consulting with a medical practitioner.
- Taxation advices.
- If the person making the will has been separated, divorced or had a civil partnership dissolved, advices relating to the succession rights of former spouses/partners, including their entitlements to pensions or property of the person making the will.
- Wills involving businesses.
- Wills involving farms.

List of participating firms

To contact a legal firm of your choice, select from the [list of participating firms](#).

You can make an appointment to go through the full questionnaire with them by phone or at the firm's offices.

Questionnaire

If you would prefer to complete the questionnaire now, open and save the [full questionnaire here](#).

Please note you should save the questionnaire to your PC or mobile device before completing and/or printing it.

You can then send the completed questionnaire to your [choice of firms](#).

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