# Will Fact Sheet

## What is a Will?

A Will is a valid declaration of a person's wishes (Testator) to be carried out by another named person (Executor) following their death.

A Mirror Will is when the same terms are expressed between spouses, which ensures their mutual interests are met.

Wills are typically drafted to direct the distribution of the deceased's net assets (Estate) to the chosen heirs (Beneficiaries), but it can also be used to illustrate Guardian(s) of the deceased's children and funeral arrangements.

## Why do you need a Will?

The question should be, what will happen if you don't have a Will?
If you die without a Will in place, the law says who gets what; in other words, you cannot be sure those you wish to benefit from your Estate will actually do so:

- Your spouse or civil partner won't automatically, as commonly assumed, inherit all of your Estate.

- Co-habiting couples have no legal status, therefore your Partner may not receive any of your estate.

- You also won't be able to leave anything to friends, colleagues or charities, which fall outside of the Rules of Intestacy.

- Moreover, you can't prevent certain family members from benefitting, or control how they spend their inheritance.

- There could be lengthy delays for your Beneficiaries in receiving their inheritance and disputes between the people you care about most. Your Beneficiaries may also have to pay for legal fees in the event of litigation.

- As you won't have declared who should look after your children, they will be taken into care whilst Legal Guardians are appointed, often taking up to 6 months. In this case, drafting a Will can protect your 'emotional' legacy too.

NSD Wills and Estates offer a Will or Mirror Will drafting service as well as updating your current Will. A Will is important and NSDWE ensures that your Will complies with all legal requirements. Our service also ensures your instructions are clear and will be carried out after you're gone. To talk to us about drafting a Will, contact us on the details below.

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