



Wills

At Hiscocks Lawyers we believe a Will is critical for everyone aged over 18. Having a valid and current Will ensures your estate is distributed as you wish. It also protects those that you leave behind at what is always a difficult time.

What is a Will?

A Will is a legal document. It names the people you choose to administer your Estate (your executor). It also names the people or organisations who will receive your assets after your death (your beneficiaries). A Will also enables you to nominate a testamentary guardian for your children. A testamentary guardian is the person you choose to care for your children if you and their other parent die before they turn 18. A current and valid Will ensures that your wishes are followed. It also reduces the burden on your loved ones after you have passed.

Who needs a Will?

In short – everyone over the age of 18. Life can be unpredictable. It is heartbreaking to work with grieving loved ones who also must deal with there not being a valid Will.

What happens if I don't have a Will?

If you do not have a Will, the law will determine who has legal authority to administer your Estate. This includes who receives your Estate. This is not a situation you want for those who are left behind. Please ensure you always have a current and valid Will.

Do I need to prepare my Will with my spouse / partner?

In short, no you don't. However jointly held assets must be considered. Therefore, we recommend that you do prepare your Will at the same time as your spouse / partner.

Do I need a Testamentary Trust?

A Testamentary Trust can be incorporated into a Will. Testamentary Trusts hold the assets of the estate. This can be desirable for several reasons including asset

protection and taxation. Your experienced Solicitor will be able to provide advice specific to your circumstances.

Who should I choose as my Executor?

It is essential you pick someone you trust to be your Executor. This may be a family member or friend. Your Executor must be over the age of 18. They must also not be bankrupt.

Should I give my Executor or family a copy of my Will?

You are not obliged to give anyone a copy of your Will. However, you do need to ensure that your Executors know that you have made them an Executor. They also need to know who has the original Will. We keep the original Wills of our clients in safe storage, free of charge.

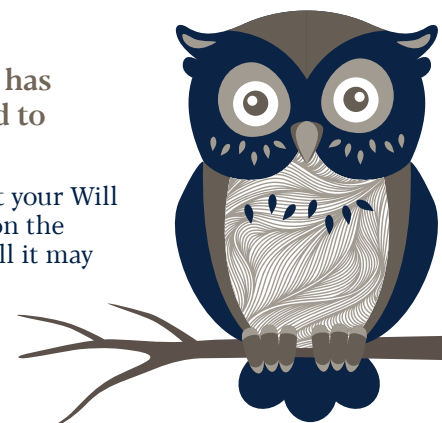
How often should I review my Will?

We recommend that you review your Will every year. In addition, you should review your Will if there is a change in your personal circumstances. Such changes include marriage, death, divorce, separation, illness, incapacity, and the birth of children.

You should review your Will if the circumstances of your Executor or Beneficiaries change. For example your Will is automatically revoked if you marry after you sign it.

My spouse or partner has passed away, do I need to change my Will?

You absolutely should get your Will reviewed. Depending upon the terms of your current Will it may need to change. We recommend you get it reviewed immediately.



I have separated from my spouse or partner; do I need to change my Will?

Yes absolutely. And you should do it immediately. Failing to update your Will may result in your ex-partner and others having the ability to make an unwanted claim on your Estate. We understand that separations are difficult. However, we urge you to make this matter a priority.

I have just been diagnosed with a significant illness do I need to change my Will?

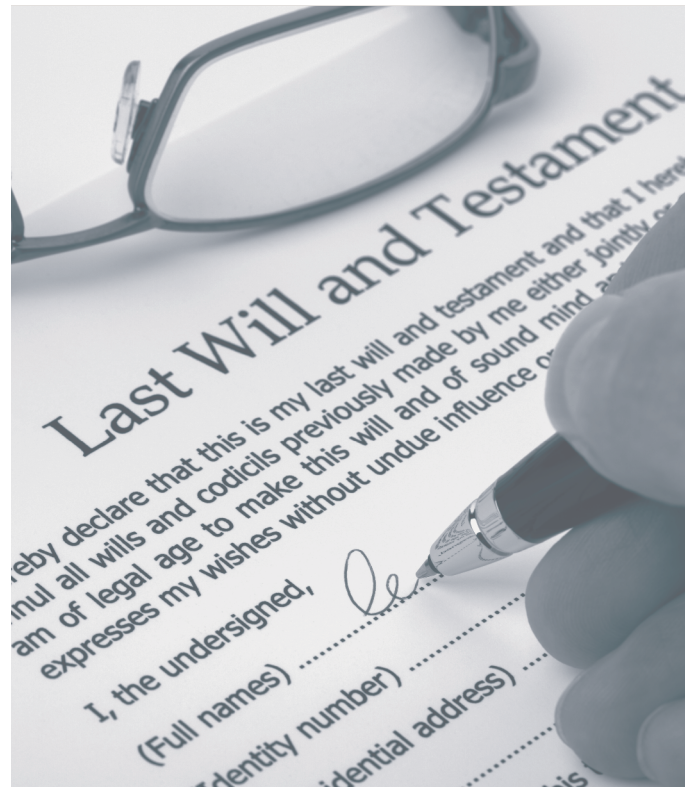
You absolutely should get your Will reviewed. In addition to this it is essential to now review or have prepared an Enduring Power of Attorney and an Advanced Health Directive. It is important to do this immediately.

One of my children has just separated, do I need to change my Will?

You absolutely should get your Will reviewed. Depending upon the terms of your current Will it may need to change. Failing to update your Will may result in your children's ex-partner having the ability to make an unwanted claim on your Estate. We recommend you get it reviewed immediately. You should also seek advice on how to protect future inheritances from Family Law proceedings.

One of my children has passed away, do I need to change my Will?

You absolutely should get your Will reviewed. Depending upon the terms of your current Will it may or may not need changing. We recommend you get it reviewed immediately.



What do I need to do if I need a Will prepared or reviewed?

This important document requires the assistance of an experienced Lawyer. If it is not drafted, kept current or executed properly the consequences can be devastating. We invite you to contact us and book your appointment so we can use our years of experience to assist you.



Who are Hiscocks Lawyers?

Hiscocks Lawyer was founded in 1999, by Alison Hiscocks.

At Hiscocks Lawyers we pride ourselves on providing personalised services. And we are committed to doing that with care, compassion and professionalism. We are privileged to be the trusted advisor to our clients as we assist them and their families through their life's journey.

Our services include:

- Wills, EPA and Estate Planning;
- Estate Administration;
- Elder Law; and
- Property and Business Conveyancing.

We invite you to contact us to book an appointment.

We would be delighted to take care of you.



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