

How to use our Wills Checklist

Getting the most out of our checklist for preparing a will couldn't be easier. Simply work your way through each section, checking off each issue once you are sure you have the information you need.

Once you have answered all of the questions and have gathered together all of the supporting material, you will be ready to make your will! You can then **speak to a qualified solicitor** with expertise in wills, trusts and probate, and they will be able to create a comprehensive legal document for you that reflects your wishes and life circumstances as accurately as possible.

1. Personal Details

The first and most basic information that you will need for your will is your personal details - this will allow your solicitor to verify your identity and those of your loved ones in order to write the will .

You will need to include the following:

Your **NAME**

Your **DATE OF BIRTH**

Your **CURRENT ADDRESS**

Your **RELATIONSHIP STATUS**

Your **NAMES AND DATES OF BIRTH OF YOUR IMMEDIATE FAMILY**, including your children, spouse or anyone else who may be listed as your next of kin

2. Contents of the Will

Next, you should think carefully about everything you would like to be included in your will. This should be as complete a list of your assets as possible, including any items of value that you own, particularly if you have any special requests about how they should be handled after your death.

You should try to include details relating to all of the following:

Your **VALUABLE ASSETS**, including details of your personal possessions and how much money you have

Your **FINANCIAL ASSETS**, including your bank accounts, stocks and shares, investment accounts, as well as pension funds and life insurance policies

Any **PROPERTY** you may own, including information on the address, title number at the Land Registry, and freehold/leasehold status

Your **BUSINESS INTERESTS**, including your ownership or partnership rights in any companies you are involved with

Your **DIGITAL ASSETS AND ACCOUNTS**, including social media profiles, with instructions on what you would like to happen to these accounts after you are gone

Any **ITEMS OF SENTIMENTAL VALUE**, with guidance on what you would like to happen to them

Your **LIABILITIES**, including outstanding debts on property (such as mortgages), or any other debts or financial commitments that you may owe

Any **ASSETS OR PROPERTY HELD OVERSEAS**, as you and your solicitor will need to work out what will happen to these under international law, and which country's laws will apply when they need to be handed over

3. Your Beneficiaries

Once you have created a comprehensive list of everything you'd like to pass on, you will need to think about who will receive them, and under what circumstances. These recipients are known as your beneficiaries, and your will should make it very clear who will receive an inheritance from you in order to avoid legal conflicts between your loved ones after you are gone.

There are a few questions that you should be prepared to answer before speaking to your solicitor:

Have you included the **FULL NAMES AND ADDRESSES** of all your beneficiaries?

WHAT SHOULD EACH OF THEM RECEIVE? Do you want to split your estate equally among your next of kin, or are there specific gifts you want to leave to particular people?

Will you be making a **DONATION TO CHARITY?** If so, you may need to look up their Charity Reference Number to ensure the donation is exempt from Inheritance Tax

Will there be any **TIME LIMITS OR SPECIAL CONDITIONS** attached to when your beneficiaries will receive their inheritance? For example, if the recipients are underage, at what age will they be able to access their share? Will you be leaving any provisions to ensure they can access these funds in advance if they need it?

What happens if your intended beneficiaries **DIE BEFORE YOU?** Have you selected second-choice beneficiaries for your estate?

Is there anyone you want to **EXCLUDE FROM YOUR WILL?** This may include estranged partners or family members, who would be entitled to claim from your estate unless you specify otherwise

Have you made provisions for your **STEPCHILDREN OR FAMILY MEMBERS FROM PREVIOUS RELATIONSHIPS?** If not, they may end up being excluded from a share of your inheritance

4. Caring for your Children and Dependants

Creating a will is about more than just money and assets - if you have children or other dependants who rely on you for their care, you will need to specify who will look after them when you are no longer around.

You will need to do the following:

Identify who will become the new **LEGAL GUARDIANS OF YOUR CHILDREN** after consulting with them, and include their full details in the will

Ensure that you have **LEFT ENOUGH PROVISIONS FOR YOUR DEPENDANTS**, and that they will be able to get the support they need after you die

Consider **LEAVING FINANCIAL SUPPORT FOR YOUR CHILDREN'S NEW GUARDIANS**, which will be allocated specifically for providing your children with care. This can be achieved by setting up a trust in their name

5. Your Funeral Arrangements

By writing your will, you will be able to leave behind instructions about how your funeral will be arranged. Not only will this mean you can be laid to rest in accordance with your wishes, but it can also take the pressure off your loved ones in terms of planning and financing the event.

You should consider the following factors:

Specify **HOW YOU WOULD LIKE YOUR FUNERAL TO BE PLANNED**, including whether you would prefer to be buried or cremated, or if you would like to be interred according to specific religious practices

Decide whether you will set aside **FUNDS TO PAY FOR THE FUNERAL** from your estate, as this can help to ease the burden on your family

Identify a loved one **WHO WILL BE RESPONSIBLE FOR ORGANISING THE FUNERAL** in accordance with your wishes

6. Executing the Will

It is essential to think carefully about who will actually carry out your wishes as specified by your will. The chosen executor or executors of your estate will need to be aged 18 or over, and be capable of taking on this responsibility.

When choosing an executor, make sure you have done the following:

Choose someone who is **ABLE AND WILLING** to act as your executor, and that you trust to fulfil your wishes. You will need to discuss this with them in advance to ensure they are ready

Consider whether you prefer to **CHOOSE MORE THAN ONE EXECUTOR**, in case your first choices prove to be unable to fulfil the responsibility

Provide **FULL DETAILS** of any executors you select, so that your solicitors will know how to contact them

Think about whether it's best to **USE A PROFESSIONAL**, such as a solicitor, either as your sole or secondary executor. There will be a fee involved, but it can be useful to rely on their specialist knowledge

7. Making the Will Legally Binding

When planning your will, it is important to make sure you know what steps to take to ensure the document is legally binding. Failing to do so could mean that your will is invalid, and your wishes are not carried out properly.

To avoid this, you must:

Consider **WHO WILL WITNESS THE SIGNING OF YOUR WILL**. To be legally binding, a will must be signed in the presence of two adult witnesses, neither of whom can be beneficiaries listed in the will, or married to beneficiaries

SIGN THE WILL, in the presence of your two chosen witnesses, before asking them both to sign the same document in your presence

8. Storing the Will

Before going ahead with writing a will, it's a good idea to think about where it will be kept. Your executors and solicitors will be unable to carry out your wishes if they can't access the original document, so it needs to be kept safe.

You can do this by doing the following:

DECIDE WHERE THE ORIGINAL COPY OF THE WILL IS KEPT. You may choose to retain it in your home, or leave it with a solicitor or your bank

OBTAIN A COPY OF THE WILL. This means you will be able to consult the document at any time, while the original remains safely stored away

NOTIFY YOUR EXECUTORS AND SOLICITORS OF THE WILL'S LOCATION. This ensures they will not have difficulty finding the document after you are gone

Find out more

Once you have completed our checklist, you will be ready to make your will. To get this process started, you should seek the advice of a trained solicitor, who will be able to take the information you have gathered and help you draft an legally authoritative, comprehensive will that lays your wishes out clearly.

If you wish to do so, get in touch with the [wills, trusts and probate](#) experts at Clough & Willis today by calling **0800 083 0815**. We can answer any questions you might have, and make sure that you have a will that ticks all of the boxes.