

Everyone should have a will, especially if you have savings, investments or own your own business or a property. Around 60% of people who die in the UK every year do so without having made a will. Dying without a will (known as dying intestate) can mean that your wishes for your ‘estate’ aren’t fulfilled the way you’d want them to be and can cause problems for your loved ones. Even to the point that if you die intestate and without heirs, your entire Estate can become the property of the State.

Why we think you should make a will

Tudor Wills and Trusts Ltd offer advice on how and when to [make a will](#). While it might sound simple enough to do alone, it’s important to draw up a legally binding will that is difficult to contest after you die. Not only does it relieve stress for those left behind, it provides you with peace of mind regarding the future of your estate.

Here are ten reasons why you should make a will.

- 1. You’ll be in control** – making a will puts you in the driving seat regarding your estate. You choose exactly who should benefit from your savings, investments, property, business, what people are entitled to and who controls them and to what extent. You also decide who manages (administers) your estate after your death.
- 2. It’s your decision that counts** – if you die without a will then intestacy rules apply. This can obviously cause problems for your family, as your wishes may not be followed. Intestacy law also lays out instructions as to who handles your affairs after death. This can be problematic if the person left in charge is unsuitable due to their location, health, or age.
- 3. It reduces potential problems** – making a will cuts the chances of a dispute or problem coming up after your death. Disputes often occur when someone dies without making a will. Certain people in the family hierarchy are entitled to use their right to apply to court to challenge any intestacy rules if they don’t agree with them. As an example, intestacy rules provide nothing for a long-term unmarried partner, so they would need to apply to the court to be awarded any share of their deceased partner’s estate.
- 4. Lessens the chances of court challenges** – it is possible for a will to be challenged in court on the basis that it’s unfair, but it’s far less likely than an intestate ruling.
- 5. Administering your estate will be smoother** – it is likely to be faster, less expensive and generally easier for loved ones to administer an estate that has a will. Dying without a will means there may be additional charges, such as commissioning research to find lost relatives. This can take a long time and it’s very expensive.
- 6. Allows you to preserve your assets** – making a will means you can preserve certain assets for specific beneficiaries. For example, if you have a property portfolio or business concerns, then these can be treated separately and go to certain people. If you die intestate, your estate is treated as one entity, which can cause uncertainty and unfairness.
- 7. You can provide for specific situations** – a will allows you to decide when and where your money goes, while protecting assets for other beneficiaries. For example, a married couple can write wills that protect some of their home from being used later on to pay for any care fees. This enables them to feel secure that their home will still be available to the survivor as long as they want to stay. Another good example is couples who have children from previous marriages. A trust can be set up to save (ring fence) part of the estate for those children. If this doesn’t happen, intestacy rules could mean all assets go to the surviving spouse, and the children from the first relationships are left with nothing.
- 8. You can protect vulnerable beneficiaries** – by drafting a trust in your will you can protect any inheritance left to a vulnerable or disabled person. It can instruct someone to manage their inheritance, and help the beneficiary not to lose his or her benefits.

9. **You can speed up inheritance for vulnerable beneficiaries** – if you die intestate and want to leave some of your estate to a vulnerable or disabled person, then the administrator might insist on someone applying to the court to be the court-appointed deputy of the beneficiary, before they can receive their share. This is a time-consuming, stressful and expensive process. It's considered necessary by intestacy rules as the beneficiary could lack capacity to administer their share.
10. **You can choose your funeral** – as well as nominating a guardian to look after your children should you die when they are young, you can also record your funeral choices in your will. Formally expressing these wishes can help family and friends left behind.