



*Law Offices of*  
**HOWARD S. DYMENT**  
*Family Law*

Hi Howard,

For decades I have been advocating against the practice of preparing one's own will and powers of attorney, rather than employing a lawyer. In the early years I advised clients against using a purchased will form from organizations such as "Grand & Toy" and recently have warned against the use of the myriad of online will preparation companies. My friend and colleague [Ian Hull of Hull and Hull](#), Canada's premier estate, trust and capacity litigation specialists, posted the following blog recently. I am setting it out verbatim below as it statistically shows the folly of drawing one's own Will and Powers of attorney using an online will preparation company .

*DIY Wills Causing More Inheritance Disputes*

*December 14, 2022*

*The UK's recent increase in the number of inheritance disputes reaffirms the value of will drafting solicitors.*

*According to figures from a recent Freedom of Information request by law firm Nockolds, the number of will challenges brought before UK courts rose by 37% between 2019 and 2021. Do-it-yourself (DIY) wills, which people use to create their own succession plans, are one of the main factors causing this increase.*

*The global health issues brought on by the recent global pandemic led more people to consider how their estates would be distributed in the event of their death. This greater desire to organize individual estates, combined with widespread economic regression, created a trend where more people made their own wills.*

*While a DIY will may seem like a good cost-saving mechanism in the short-term, it leaves **estates vulnerable** to the much more costly possibility of estate litigation. Many of the mistakes*

at issue in the disputes before UK courts involve simple errors related to wording or signing and witnessing procedures.

Certain conditions of modern societies also make the will challenge procedure more difficult. Costs of living are on the rise, family structures are becoming increasingly complicated and diverse, and many families have trouble accessing the funds of their deceased loved ones in the months after their deaths.

The Canadian legal system as a whole aims to become more efficient and accessible by reducing costs for litigants and shortening the backlog of cases that come before its courts. For individuals, hiring a solicitor to properly draft a will can greatly reduce the financial, emotional and time burdens of any disputes down the road.

Thank you for reading and have a nice day!

Sources:

Cristian Angeloni, [“DIY Wills fuel rise in inheritance disputes”](#), International Adviser (26 August 2022), online.

Jean Dondo, [“Are DIY wills creating more inheritance conflicts?”](#), Wealth Professional (1 September 2022), online.

Sue Halfyard, [“Increase in home made wills during lockdown”](#), Lexology (1 November 2022), online.

Contributor

[Ian M. Hull](#) of [Hull & Hull](#)

I invite you to [set up a Zoom](#) appointment with me to discuss your Estate Planning and drawing your Will and Powers of Attorney.

[Schedule A Consultation](#)

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