



# **WILL DRAFTING SERVICE**

**M** **MONARCH**  
**S** **SOLICITORS**

# WILL DRAFTING

Having a written will is critically important for all adults regardless of wealth, marital status or age. Many people put off writing a will because they believe it will be costly or difficult, they do not believe it is necessary because their possessions will automatically pass to their spouse or children, or they simply wish to avoid the subject of what happens to their assets after their death.

## A WILL CAN HELP YOU TO

- ☒ Decide to whom your assets will go according to your wishes
- ☒ Name trusted individuals as executors to handle your affairs according to your wishes when you die
- ☒ Appoint legal guardians for your children who are still minors when you die
- ☒ Set up trusts to protect your assets
- ☒ Make gifts to charity
- ☒ Mitigate your inheritance tax liability

## REQUIREMENTS FOR A VALID WILL

- ☒ Made by a person who is 18 years old or over
- ☒ Made voluntarily and without pressure from any other person
- ☒ Made by a person who is of sound mind. This means the person must be fully aware of the nature of the document being written or signed and aware of the property and the identity of the people who may inherit
- ☒ In writing
- ☒ Signed by the person making the will in the presence of two witnesses
- ☒ Signed by the two witnesses, in the presence of the person making the will, after it has been signed.

## TYPES OF WILLS

- ☒ **Single Will**  
A single will is for one person (with or without a partner) to set out the wishes regarding his/her assets.
- ☒ **Mirror Wills / Joint Will**  
Mirror Wills or Joint Will are common for married couples or civil partners. Each of them will make one will with almost identical contents to reflect their shared wishes. A common example is a married couple with children could each make a mirror will to give everything to the other, and the surviving one leaves everything to the children in equal shares.

## DYING INTESATE

If you're married or in a civil partnership, you may have assumed that your spouse or children would automatically receive all your assets when you die without a will. This is not automatically the case.

Dying without a will is called dying intestate, and the law will decide who has priority and how much to inherit your estate under the rules of intestacy.

**Children do not automatically inherit from your estate and if there are no surviving relatives then your estate passes to the Crown.**





# WILL TRUSTS

## WHAT IS A TRUST?

A trust is simply a legal arrangement where a trustee holds property for the benefit of a third party or beneficiary.

## WHY HAVE A TRUST IN A WILL?

Trusts in wills are most frequently used to pass property on death whilst still exercising some control over its use and they are widely used when providing for children in a will or when taking care of vulnerable loved ones. Will trusts have their own legal and tax implications and therefore you should discuss whether it is beneficial to add one to your estate plan with your financial advisor or wealth manager.

## REQUIREMENTS FOR A VALID TRUST

- ✓ Certainty of intention
- ✓ Certainty of objects
- ✓ Certainty of subject matter

## TYPES OF TRUSTS IN WILLS

- ✓ Bereaved Minor Trusts
- ✓ 18-25 Trusts
- ✓ Bare Trusts
- ✓ Discretionary Trusts
- ✓ Interest in Possession Trusts
- ✓ Trusts for a Disabled Person



### TRUSTEES

It is advisable to appoint a professional trustee in complex cases, as this role carries a lot of responsibility and liability.

The law governing trustees are complex and a trustee could face personal responsibility for negligence.

As a regulated solicitors firm, our private client team can provide legal advice on setting up a will or trust to deal with your estate upon your death. Please ask a member of the team for any other information for each of the trusts detailed above and they would be more than happy to help you.



# OUR PROCESS & FEES

## Our Process

Our experienced team will take detailed instruction from you to ensure your will is carefully drafted to set up your assets for distribution to the beneficiaries you would like.

These documents are understandably complicated, and having a clearly articulated plan goes a long way toward outlining the kinds of decisions you want to deal with your assets and estate to your chosen beneficiaries.

## Mental Capacity

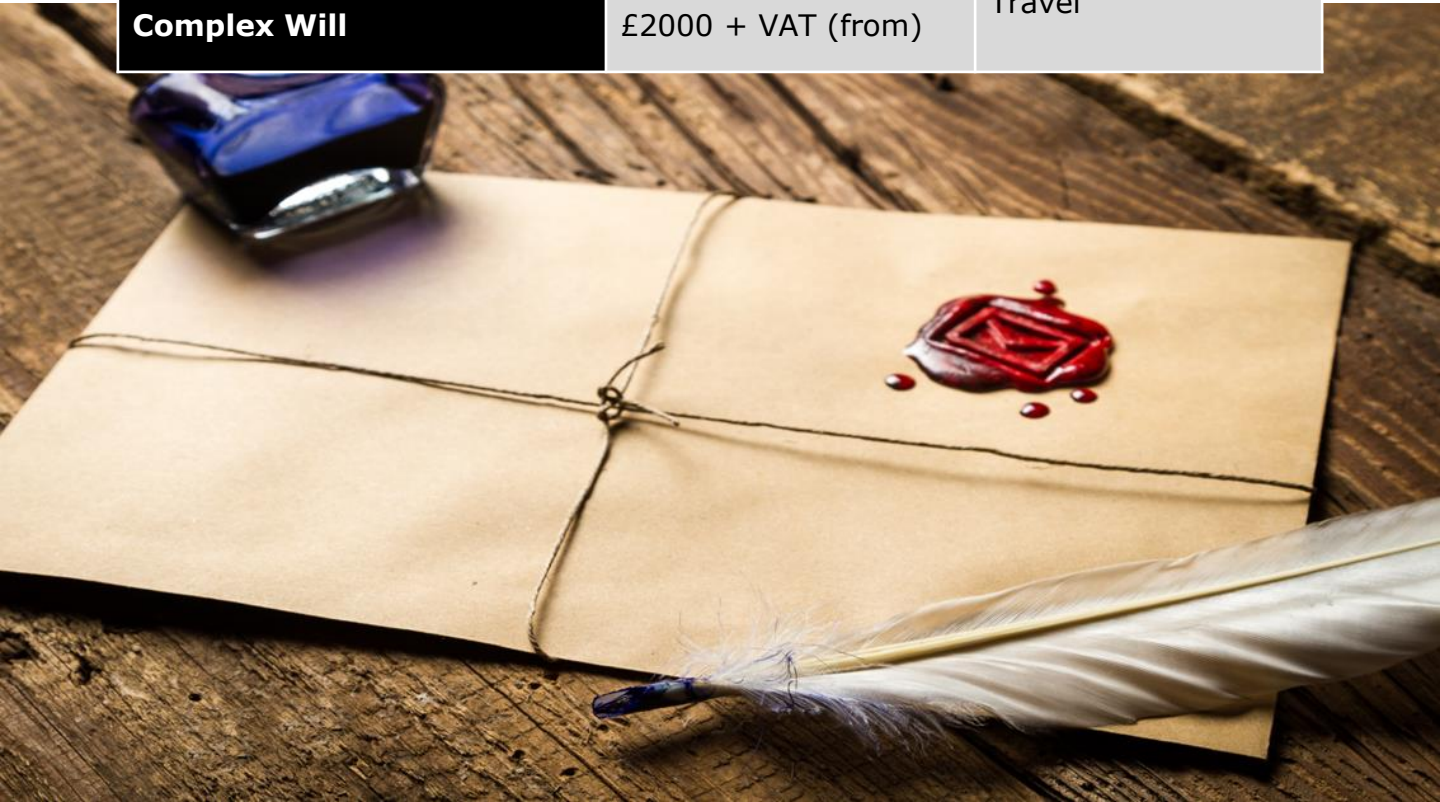
To grant a valid will you must have mental capacity and must be free from duress. Mental capacity means the ability to make or communicate specific decisions at the time they need to be made.

To have mental capacity you must understand the decision being made, why they are making it and the likely outcome of that decision. Where we are unsure as to the principals capacity, we will require a certificate from their doctor.

## Our Fees

There are different types of wills that we can draft for you depending on the size and nature of your estate.

DRAFTING SERVICE	FEE ESTIMATE	DISBURSEMENTS
Simple Will	£300 + VAT	Postage & Copying Capacity Assessment Bankruptcy Searches Translations Travel
Intermediate Complexity will	£600 - £1000 + VAT	
Complex Will	£2000 + VAT (from)	



## ADDITIONAL SERVICES

### LASTING POWERS OF ATTORNEY

To plan ahead, many clients also consider making arrangements for Lasting Power of Attorney (LPA) for any circumstances in the future where you cannot make a decision for yourself.

#### ☑ **Finance & Property LPA**

An LPA for financial decisions can cover things such as buying and selling property, paying the mortgage, investing money, paying bills, arranging repairs to property and dealing with your bank account. You can restrict the types of decisions your attorney can make, or let them make all decisions on your behalf.

#### ☑ **Health & Welfare LPA**

This covers health and care decisions and can only be used once you have lost mental capacity. An attorney can generally make decisions about things such as where you should live, your medical care, what you should eat, who you should have contact with, what kind of social activities you should take part in. You can also give special permission for your attorney to make decisions about life-saving treatment.

ADDITIONAL SERVICES	FEE ESTIMATE	DISBURSEMENTS
<b>Hourly Rates:</b>		
<b>In Person Consultation (Office)</b>	£200 + VAT	
<b>In Person Consultation (Home)</b>	£300 + VAT	
<b>Travel Time</b>	£75 + VAT	Travel/Parking costs
<b>National Will Register Registration</b>	£175 + VAT	£30
<b>Translator Arrangement</b>	£300 + VAT	Translator fee
<b>Executor / Trustee Services (Hourly Rate)</b>	£300 + VAT	TBC
<b>LPA – Property &amp; Finance</b>	£350 + VAT	Postage & Copying Translations if required Certification Fee OPG Fee (LPAs only) Capacity Assessment Bankruptcy Searches Company Search
<b>LPA – Health &amp; Welfare</b>	£350 + VAT	
<b>Ordinary Power of Attorney</b>	£400 + VAT	



## ABOUT US

Monarch Solicitors are a highly accredited commercial law firm boasting offices in Manchester, London, Hong Kong, Turkey and Dubai to serve a diverse client base across both domestic and international clients, with proven success in several international markets.

As a multi-disciplined firm we offer expertise across all areas of law for your personal or business needs and provide a world class service and deliver the best possible results. We have established expertise in the legal disciplines of real estate, corporate, contract, mergers & acquisitions, investment & finance, regulatory and disciplinary, tax, commercial litigation, employment, private client, family law and immigration.

As recognised leaders in our field we hold numerous sector relevant accreditations and received praise for our enviable success record and excellent client services. We pride ourselves on fighting your corner with passion and drive whilst delivering pragmatic, strategic and timely advice, protecting your interests and investments.

With a wealth of experience our highly qualified multi-lingual team (Mandarin, Cantonese, Arabic, Turkish, Hindi, Punjabi and Urdu speaking) provide our clients with the best possible service and expert management of cross jurisdictional issues.

Our trusted team of legal advisors are aware of the commercial realities and provide bespoke advice to high net worth individuals (HNWI's), board level directors, multi-national corporations, local companies through to private clients.

We pride ourselves on ease of communication and apart from the traditional contact methods of telephone and email we also use instant messaging services such as WhatsApp, WeChat, Telegram and IMO so that our clients can contact us with ease.

Contact us to discuss your requirements today.

**Award  
Winning**

**Excellent  
Service**

**Regulated  
Solicitors**



## OUR TEAM



**Shazda Ahmed**  
C.E.O. & Solicitor



**Alan Lewis**  
Director & Solicitor



**Samantha Quinn**  
Director & Solicitor (Adv)



**Agnes Chan**  
Legal & Compliance  
Officer



**Ian Bowen**  
Solicitor



**Joseph Diver**  
Trainee Solicitor



**Saher Qarini**  
Trainee Solicitor



**Leah Whitehead**  
Paralegal



**Ellis Haworth-Bowyer**  
Paralegal



**Janice Cheung**  
Paralegal



**Claudia Carroll**  
Paralegal



**Joanne Lau**  
Legal Assistant



**Bethany Hawkins**  
Legal Assistant



**Andrew Truong**  
Office Manager



**Josh Omri**  
Technical Support

## ADDITIONAL SERVICES

### PERSONAL SERVICES



#### Employment

Bullying & Harassment, Constructive Dismissals, Discrimination, Employee Grievance



#### Property

Residential Conveyancing, Right to Manage, Equity Release, Compulsory Purchase Orders



#### Lease Extensions

Houses, Flats, Right to Manage, Missing Freeholders, Tribunal, Disputes



#### Wills, Trusts & Probates

Will Writing Service, Court of Protection, Inheritance Disputes, Power of Attorney



#### Litigation

Debt Recovery, Bankruptcy & Insolvency, Education Disputes, Injunctions, Landlord & Tenant Disputes



#### Immigration

Appeal & Judicial Review, British Citizenship & Naturalisation, BNO Passport Holders



#### Family Law

Divorce, Pre / Post Nuptial Agreements, Cohabitation Agreements

### BUSINESS SERVICES



#### Employment Law

Defending Tribunal Claims, Employment Contracts, Redundancy Procedures



#### Commercial Property

Commercial Conveyancing, Commercial Lease, Freeholder Duties, Construction, Compulsory Purchase Orders



#### Corporate

Mergers & Acquisitions, Business Sales & Purchases, Corporate Governance, Commercial Contracts



#### Commercial Litigation

Contract Disputes, Commercial Debt Recovery, Director & Shareholder Disputes, Defamation



#### Business Immigration

Business Visas, Long / Short Term Work Visas, Global Business Mobility Visas, Sponsor Licence



#### Finance

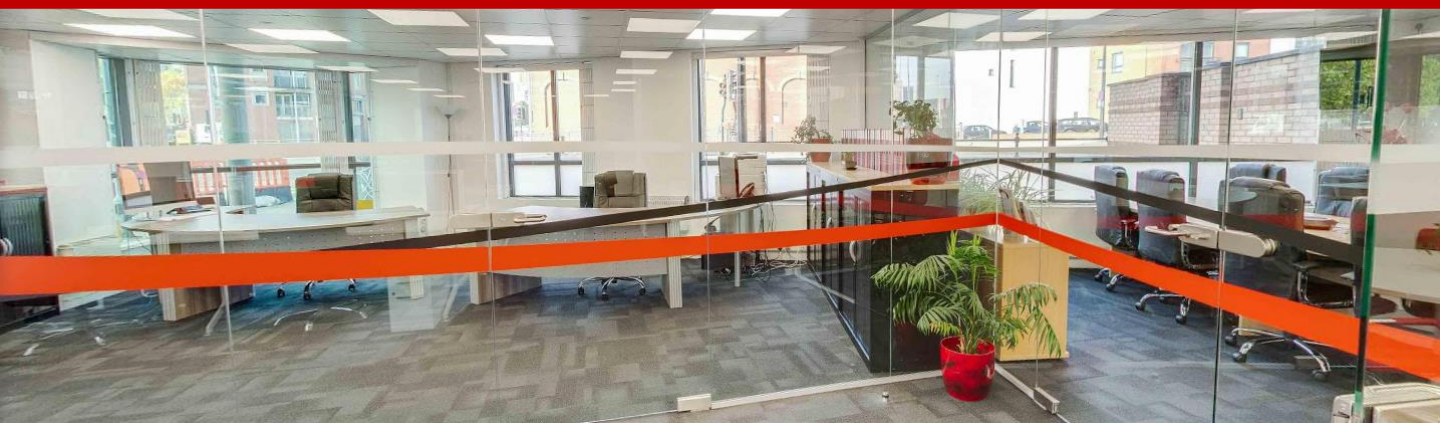
Corporate Finance, Bridging Finance, FCA Licensing, Insolvency



#### Regulatory & Disciplinary

Director Disqualification, Trading Standards Investigations, GDPR





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