

## **New Data reveals problem Wills and DIY probates**

Over 15,500 wills failed to appoint an executor or the executor was unable or unwilling to administer the estate, according to the latest 2011 data from the Probate Service . This is a 5% increase on 2010.

Chris Berry reflected this was a cause for concern leading to unnecessary and needless costs to a Deceaseds estate. “Thousands of people every year end up with poorly drafted wills which do not even name an executor or do not make sufficient provision in their will for a substitute executor if their executor dies or is unwilling to act. It is vitally important for the public to seek professional advice from a reputable well trained practitioner in will writing to avoid these problems arising.”

### **DIY Probate**

The 2011 grant of probate statistics also reveal 86,470 grants were issued to private individuals.

“Whilst perhaps in these times where money is tight there is a wish to cut costs this can prove to be a very expensive experience which will fall upon the Executors individually .Mistakes in DIY probate such as undervaluing the estate, under paying tax or missing out entitled heirs falls firmly in the lap of the Executors and their personal assets.”

### **Deaths without a will**

The 2011 Probate Service figures also reveal 19% of probates dealt with by the Probate Service involved estates where the deceased did not leave a will. This is a 4% decrease in intestacies recorded by the Probate Registry compared to 2010.

At first sight this is very encouraging news and one hopes the message is getting across as to the need to have a will drawn. However the reality may well be that the family of the deceased are not seeking a Grant of Probate or Letters of Administration when a person dies. This unfortunately is storing up problems for the future and the time and cost for unravelling the deceaseds estate years down the line makes the process far more complicated and costly than if the matter had been dealt with following the death of the deceased.

### **Finally...**

Where a person is thinking of making a Will always seek the advice of a Solicitor who deals with such matters, their help advice and assistance are invaluable.

If you are faced with dealing with an Estate my advice is to seek the help of an experienced Solicitor dealing with such matters.

If you have a query or need some help please contact Chris Berry at:  
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