

WILLS AND POWERS OF ATTORNEY

Your Will and Power of Attorney are likely to be the most important documents you ever prepare.

You need to ensure that these vital documents are properly prepared, and accurately record your wishes.

What Is A Will & Do I Need One?

A Will is a legally recognised document that sets out how you wish your assets to be distributed on your death.

If you die without leaving a Will, your assets will be distributed according to a formula set out by law, rather than according to your wishes. This can mean that someone you wanted to provide for may miss out, and others may receive a share that you did not wish them to have.

Also, without a Will, you are not able to choose who will administer your affairs on your passing.

What Do I Need To Include In My Will?

You will need to appoint a trusted *executor* who will be responsible for ensuring your wishes are carried out on your passing. We can guide you on your choice of executor.

You will also need to name your *beneficiaries*. A beneficiary is someone who receives a gift under a Will. Usually these are close family such as a spouse, partner or children.

Generally, you can leave your estate to whoever you wish, however the law provides certain people with the right to challenge a Will if they have not been adequately provided for. It is important to get professional advice to ensure that your wishes are followed after your death.

What Is A Power Of Attorney & Do I Need One?

A Power of Attorney is a document which appoints another person (the *attorney*) to make decisions for you if you are unable to do so.

An *Enduring Power of Attorney (Financial)* appoints an attorney to make financial and legal decisions for you. You can nominate when this power is to commence, and place restrictions on the power.

An *Enduring Power of Attorney (Medical)* appoints an *agent* to make decisions regarding your medical treatment in circumstances when you are unable to do so.

If you have not appointed an attorney and become incapable of managing your affairs, an application must be made to the Victorian Civil and Administrative Tribunal to appoint an Administrator or Guardian.

Not only can this process be stressful and costly, it may also result in someone other than your preferred person being appointed to manage your affairs, and sometimes for a fee as in the case of professional trustees.

Why Can't I Just Prepare My Own?

Improperly prepared Wills and Powers of Attorney are a source of great anxiety, stress, and cost to loved ones at a time when they can least deal with it. Planning and properly preparing a Will and Power of Attorney can reduced the stress to loved ones at such a time.

Continued Assistance

We see our role as continuing even after you have signed your Will of Power of Attorney.

We are happy to advise on any changes to your Will or Power of Attorney if your circumstances change for any reason.

We are also able to assist in advising your Executor or Attorney as to their rights and obligations in administering your affairs.

We also retain original documents free of charge, so you can be sure that they are not lost or destroyed, and that your wishes can be followed.

Our Services

We are a 'full service' legal practice, providing assistance in all areas of the law. We ensure that all available avenues are evaluated to make sure that the best possible outcome is achieved.

Our areas of practice are broad and include:

- Family Law;
- Business & Employment Law;
- Property;
- Crime;
- Litigation; and
- Wills & Estates

In addition, our conveyancing services are fully supervised by a solicitor.

Our Invitation to You

We invite you to contact us or come in to or see one of our solicitors and see how we can help you.