

Wills and Probate

Levi Solicitors LLP advise on all matters effecting personal status and property, including the preparation of Wills, the establishment and administration of Trusts and settlements in relation to the assets of the deceased.

The absence of a Will can bring disastrous consequences, especially for the surviving spouse and where there are young children, a co-habitee or partner. A badly thought out or poorly drafted Will can make things worse.

We advise on the effective preservation and disposal of assets bearing in mind the latest fiscal legislation. We examine what is the most tax efficient. Our aim throughout is to achieve maximum flexibility for the client, consistent with the changing patterns of taxation. If you have not made a Will, or you have not recently had your Will checked again by a Specialist Probate Practitioner, you may be running the risk of losing thousands of pounds from your Estate.

We check that the correct up to date wording is used, not only for clauses giving benefits, but also in the “small print” where it is possible to save tax and administrative expenses again running into many thousands of pounds.

The dangers of a poorly drafted Will are especially evident where the intention is not only to benefit the spouse, perhaps where the spouse is financially independent, or where charities are involved and where there is a former spouse and children of more than one marriage.

The treatment of death in service benefits under pension schemes is also important. Points that frequently arise need thorough discussion between the client and Solicitor and consideration. We also aim to advise in a straightforward and jargon free way. We have created a precedent library which provides individual clients with a speedy service and one that is surprisingly inexpensive, especially when compared with the benefits which may accrue to the client, and the clients family in future years.

We regularly deal with:

- Personal tax planning both for specific transactions and remunerations to an individuals affairs under state generally
- Personal tax problems (including back duty claims) and questions of domicile and residence
- Making and breaking Trusts
- Charities, Charitable Trusts and Deeds of Covenant
- Probate, Claims against Estates and Deeds of Family Arrangement.

PROBATE & INTESTACY

A speedy and attentive service is essential to relations and friends at a time of bereavement. We endeavour to combine concern for all involved with a weather eye to the management of Estates so as to maximise financial advantage. This includes such factors as the timing of tax payments where we seek to ensure maximum tax relief for expenses. Elections for example loss relief are made within time limits as appropriate, and also distributions should be carried out with a view to minimising future capital gains tax, whilst maximising allowances within the administration.

We deal with simple variations to Wills following death in order to achieve tax advantage. The transfer of a legacy is an example. We also dealt with complex multiple variations such as the unexpected death of more than one family member in quick succession.

The special valuation of business and shares in private companies for Inheritance Tax, of shared property and property difficult to realise is familiar ground.

THE PROBLEMS & PROTECTION OF THE ELDERLY

We deal with all aspects of the position of the elderly client, especially where they may no longer be able to cater for themselves. We can help regarding claims for a tenants allowance and avoidance of loss of age allowance for income tax purposes, or maximising benefits that may be derived from the taxpayer’s residence.

We are experienced in handling receiverships and dealing with the Court of Protection. Where there is no suitable family member available to act as a Receiver, a partner is willing to help.

ENDURING POWER OF ATTORNEY

Since 1985 it has been possible to avoid the delay and expense of a Receivership under the supervision of the Court of Protection by the timely execution of an enduring Power of Attorney.

We advise on the statutory protection of the patient and what other safeguards may be provided at the time of creating the power.