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DIY PROBATE RUNS RISK

It is entirely possible to apply for probate and deal with an estate, without seeing a lawyer, but it's not without risks warns legal group, Solicitors for the Elderly (SFE) members Nicola Cochran and Elizabeth Groom of Rowberry Morris Solicitors.

Many professionally drafted wills contain trusts to save tax, to avoid those who inherit paying care fees and to reduce the likelihood of potential disputes. SFE members have noticed an increase in 'DIYers' returning to them to seek advice when they have made a mistake or find the paperwork too tricky. Mrs A's will had included a tax saving trust, but when her husband administered the estate, he paid the whole estate to himself. The solicitor was thankfully able to sort out the matter and avoid future complications occurring when Mr A eventually dies. In Mr G's case, he sold some shares that had made a gain during the administration of his late sister's estate and had to pay tax. If he had transferred the shares to himself first, before selling them, he could have avoided the tax.

Local SFE member, Nicola Cochran said 'People aren't always aware of the complexities and assume probate work is straightforward. It is true that it can be, but it is just as true that sometimes it isn't. In all but the most straightforward cases, it is important to seek timely specialist legal advice that can actually save you money and worry.'

Many SFE members' practices will offer to work in partnership with the deceased's family to help and support them with the legal and technical work. As elder law specialists, members can even add value to their work, for example by identifying cases where money is owed to the estate for care funding, which should have been met by the NHS and assist in making a claim.

For further information, please email: for Richmond office Nicola Cochran nicolacochran@rmrichmond.co.uk or Elizabeth Groom in Tadley office on egroom@rmtadley.co.uk

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Solicitors for the Elderly (SFE) is an independent, national organisation of lawyers, such as solicitors, barristers, and legal executives who are committed to providing the highest quality of legal advice for older and vulnerable people, their families and carers.

Members must pass an entrance exam to join, and have experience of dealing with older client issues. They also sign up to the Code of Practice, which includes being up front about charges for services. http://www.solicitorsfortheelderly.com/public/why-use-an-sfe-member/code-of-practice

Members benefit from regular training and education to ensure they deliver the best service possible for their clients.
Further details are available on the SFE website: www.solicitorsfortheelderly.com

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