



Private Client Services

Estate Administration and Probate
Wills, Estate planning and Trusts
Powers of Attorney (LPA)



Helping secure the
future for you and
your loved ones



Probate



Estate Administration



Trusts

About JE Bennett Law

Expertise born from a passion to help

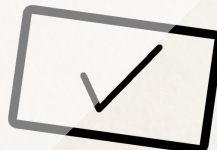
JE Bennett Law was founded as a specialist Court of Protection legal firm, helping those in vulnerable circumstances manage their property and financial affairs. This unique background has nurtured the growth of a private client team with a difference.

Our unique experience and history gives us a very client-centred and empathetic approach. JE Bennett Law's DNA is built around empowering and supporting our clients. We manage our clients' affairs on a daily basis, providing great insight into the needs and planning required for later life and how best to prepare and execute those needs to ensure best wishes and

requirements are achieved. Our culture is steeped in helping people and we pride ourselves on our empathetic approach in providing services that are often emotive and sensitive by nature. Our team are highly experienced legal professionals, but we realise our role is so much more than just our expertise.

Do you need a will?

Yes



No



advice and guidance
were always given
with both empathy
and professionalism





(their) approach
to legal services for
the elderly helps
me feel confident



MAKING A WILL

It's believed that nearly two thirds of the UK population do not have a Will. If you die without leaving a valid Will, your estate will pass in accordance with the rules of intestacy.

Why does this matter and why do I need one?

Contrary to common belief, it is not automatically the case that a spouse or civil partner will inherit the whole estate. Relying on the rules of intestacy may not reflect how you would like your estate bequeathed and may cause unnecessary complication and, potentially, costs for your loved ones. You should consider making a Will regardless of the value of your estate.

Within a Will you can:

- Choose who you want to act as executor and administer the estate for you
- Name a guardian for any children under the age of 18
- Leave gifts to specific individuals or organisations
- Leave the remainder of your estate to whomever you wish
- Leave assets in trust for young or vulnerable beneficiaries

What if I already have a Will?

An existing Will should be reviewed every 3-5 years as personal and/or financial circumstances can change. It is also worth noting that marriage (or remarriage) automatically revokes a Will. In addition, if you have made a Will in another country, then do ensure that you have not unintentionally revoked your Will in England & Wales.

Do I need legal advice? How can Solicitors help?

It is possible to make a Will without legal guidance but it is worth bearing in mind that complexity depends upon individual circumstances and not always just the size and value of your estate.

At JE Bennett Law we add value to the Will-making process by clearly explaining the options available to you based on your own specific situation. We strongly advise you seek professional advice before making a Will, to provide the peace of mind in knowing that your wishes will be adhered to.

LASTING POWERS OF ATTORNEY (LPA)

A Lasting Power of Attorney, or LPA, is a document by which the person making the LPA can appoint someone else to make decisions for on their behalf.

Why does this matter and why do I need one?

There are any number of reasons, why a person might need to make an LPA, the future is hard to predict, but the most common reason is to safeguard against

dementia... we live in a world where people live longer but where dementia sadly effects many at some point.

Having Lasting Powers of Attorney helps you to make decisions about who will look after your welfare and affairs should you lack capacity to make those decisions yourself.

A photograph of a document titled "POWER OF ATTORNEY" in bold, black, sans-serif capital letters. The document is cream-colored and lies on a dark wooden surface. A vibrant red ribbon is tied in a loop around the bottom right corner of the document. The lighting creates soft shadows, emphasizing the texture of the paper and wood.

POWER OF ATTORNEY



superb at handling
very difficult matters



How does an LPA work?

The person making the LPA (the donor) must have the mental capacity to understand the nature and effect of the document and to make an informed decision about the choice of attorney. Your attorney should be someone you trust who is capable of doing the job and who will understand the extent of their authority. For e.g. an LPA does not allow an attorney to make changes to the donor's Will; and an attorney should not benefit personally from their role. The attorney must follow the principles of the Mental Capacity Act 2005 and act in the best interests of the donor.

An LPA must be signed by the donor and the other parties to it and be registered with the Office of the Public Guardian. It cannot be completed by a family member or other third party on the donor's behalf. The LPA comes into force when the donor is deemed to have lost capacity. **There are two types of LPA: one for property and financial affairs and the other for health and welfare** - they are separate documents. Decisions an attorney could make include:

- for LPA for property and financial affairs: opening, closing or operating your bank account; buying or selling property or paying for residential or nursing care.

- for LPA for health and welfare: giving or refusing consent to medical treatment, and deciding upon whether you stay in your own home with help and support.

Do I need Legal Advice? How can Solicitors help?

You do not need legal advice to fill out an LPA, but we strongly recommend it to ensure a watertight document and peace of mind that someone you trust will be looking after your interests... and a potential cause of stress for your loved ones has been alleviated.

The team at JE Bennett Law can guide you through the process ensuring your wishes are legally binding. We can also act as certificate providers (it's a requirement that someone certifies you have understood the agreement and have entered into it voluntarily).

PHONE

01892 487746

ESTATE ADMINISTRATION, PROBATE AND TRUSTS

Estates

Acting as personal representative for an estate involves a number of legal, financial and administrative aspects.

Probate ultimately involves ascertaining the assets of an estate, reporting the estate to HMRC, applying for a grant of representation, collecting in the assets and clearing any debts, and distributing the estate to the beneficiaries.

Personal representatives also need to manage any sale proceeds of the estate, for example stocks and shares and the sale of any properties. They will need to manage a wide variety of tax matters including Income Tax, Capital Gains Tax and Inheritance Tax.

We deal with estates ranging from the very straightforward to highly complex multi-million pound cases. We are also, in many cases, appointed as executors and trustees and are therefore responsible for fully administering estates.

Our objective is to support our clients and complete estate administration as quickly and efficiently as

possible while avoiding the many difficulties and pitfalls that can arise on the way. We strive to take away a lot of the stress and frustration that families face when dealing with the estates of their loved ones.

We have a very flexible approach to our services which allows our clients to choose how much, or how little, they wish to make use of our services:

Full service - Our probate solicitors can take full responsibility for dealing with all aspects of the estate administration process.

Grant only service - Where appropriate, we can deal with the legal formalities of reporting the estate to HMRC and obtaining a grant of representation, leaving the personal representatives to deal with all of the administrative work.

Advisory service - In some cases, personal representatives will want to undertake nearly all of the work involved with the estate but will ask for advice about certain discreet aspects, such as Inheritance Tax, or on an ad hoc basis when they are struggling with complexities.



Jane & her team have
always stood by my brother



01892 487746

Estate in

PROBATE



Trusts

Some Wills create Trusts which provide ongoing structures for assets to be managed. Those appointed to manage the Trust are known as Trustees. Acting as a Trustee is an important and involved role, and comes with various responsibilities and duties. Trusts are usually required to be registered with HMRC and often have multiple tax reporting requirements, both for Inheritance Tax and Income Tax.

We have a wealth of experience in Trusts and also act as Professional Trustees. We often assist with creating and administering Trusts, and advising Trustees on various courses of action as part of their roles. We can advise on what options are available to Trustees and beneficiaries, assist with reporting to HMRC and associated tax requirements, and all other aspects of Trust Administration.

RECOGNISED LEADERS IN OUR FIELD

JE Bennett Law is ranked for our Court of Protection work by Chambers and the Legal 500 - the leading industry research organisations.



CLIENT CARE & PRACTICE MANAGEMENT

We are proud to have been awarded Lexcel accreditation. Lexcel is the Law Society's legal practice quality mark for practice management and client care.



There are many providers who offer will writing, LPA and estate administration services. Our team embodies the culture of care and support that is at the heart of JE Bennett Law. We believe that makes a real difference to our clients.

RICHARD SHEARING Senior Partner



THE PRIVATE CLIENT TEAM



RICHARD SHEARING
Senior Partner



ROB SULLIVAN
Senior Associate



ANASTHASIA ANDREWS
Associate



ISOBELLE ROBINS
Senior Paralegal
Team Leader



SAMANTHA WATSON
Senior Paralegal



TALIA HIGGINS
Junior Paralegal

CONTACT

T: **01892 487746**

DX: **3930 Tunbridge Wells**

E: **info@jebennettlaw.co.uk**

www.jebennettlaw.co.uk

Tunbridge Wells

01892 487746
Eridge House
1 Linden Close
Tunbridge Wells
Kent, TN4 8HH

Brighton (Appointment Only)

01273 762841
Queensberry House
3rd Floor
106 Queens Road
Brighton, BN1 3XF