



### A Daughter's Letter to her Dad, whose Will was 40 years out of date

Your passing was a shock, although I suppose it shouldn't have been, but at 76 years old you were still living at home actively doing all the things you loved to do. You liked to say "I haven't retired, just changed jobs." I think you were almost busier after retiring than before. You always had a list of things you were going to do.

Unsurprisingly, updating your Will was on that list, but 40 years is a long time to have had that task waiting to be completed. Death isn't something we really like to talk about or dwell on particularly is it? I read recently that 61% of Britons haven't made a Will, one in 10 hasn't told anyone where to find the Will they have made and a further 13% haven't updated their Will in the past decade. You clearly weren't alone in avoiding the task.

No doubt you would be incredulous to discover that your children have had to apply for legal permission to sort out your affairs. You have been gone almost a year but we are still waiting for permission to be granted. We can't touch any money in your accounts, so we paid for the funeral costs by extending the mortgage. Each month we budget towards paying your council tax as well as our own.

The bedsit attached to your house continues to be rented, which helps, but we can't increase the amount to reflect market rates as it is not our property. While we wait, your property has to be maintained and we also have to pay fees for the work lawyers are doing on our behalf.

You used to say I was one of the sanest and most capable people you knew but this last challenge you have left me is almost doing my head in. You won't have realised that because you and mum were divorced, she couldn't be one of your executors. With Uncle Frank passing away before you, both the people you nominated in your Will are unavailable. Although you had told family members that it was to be my job, it must be written down to count

legally.

Written agreement to pursue our application for the legal right to sort your affairs has to be given by all of those listed as receiving a gift. Thankfully, I now have contact details for three of the four you mentioned. I spent six weeks tracking down your goddaughter, Gillian and only found her because of the family history work I had been doing. I still have absolutely no idea who Isabella May is or what connection you had with her family. Gillian is lovely, by the way, as I discovered when I met her recently. Her mother and father are doing well but were saddened by the news of your passing. They shared many hilarious family stories, including some about your 21st birthday. You would have enjoyed catching up with them again.

People say that what doesn't break you makes you stronger and maybe the past year has been one of those times. I have thought a lot about life and death and what I value, but I have yet to grieve properly. That will come when all the jobs have been resolved and I can be left alone and not pretend, for the sake of others, that I am strong and coping.

I know my children are also capable individuals but this isn't an experience that they need to have. I'm going to ensure I regularly review my Will so that it reflects my current circumstances. If I choose to leave a gift to anyone specifically, I will include their contact details too. I want my children to have space to grieve and move on with their lives, holding on to the good things we have experienced without the involvement of lawyers or financial difficulties. I know you would have wanted this too and updating your Will was probably the very next item on your to-do list. I don't blame you – I just feel exhausted from trying to cope.

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We hope you find this useful, but please do not hesitate to contact us for further information.

EstatePlanningMatters

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