

# The Largest Cheque

Working with IFAs

BOWMAN  
& DREW



Solicitors

# Using traditional vocabulary, we could be called 'a firm of Solicitors' ...oh, okay.

In every sense we are a Legal Services, Private Client Company and we are regulated by the Solicitors Regulation Authority.

By 'Private Client' we mean that we advise clients in relation to Trusts, Estate Planning, Wills, contentious and non-contentious Probate, Office of the Public Guardian work and allied taxation. Between our three fee-earners we have over ninety years experience in dealing with Private Client work.

In dealing with Probate work we approach Will drafting from a different perspective.

## Increase in Wills being contested

The latest statistics from the High Court show that the number of claims by dependants reached 80 in 2008, up from just 43 in 2007. In 2006 there were just 10 such cases recorded and experts predict that this number will be closer to 100 for 2009.

## Assurance for your client

Since 2004 our Will files include The BDL Questionnaire, our own unique form which supports the instructions from the Testator. In addition to the routine instructions from the Testator, the form includes sections where the advisor taking the instructions answers questions based on the principles of *Larke v Nugus* 1979.

The BDL Questionnaire also speaks on the circumstances about the execution of the Will. On three occasions since 2004, disappointed beneficiaries have been quick to withdraw their claims when our strong, contemporaneous evidence was revealed.

## The Vital Testimony

To further underline our commitment to assure our clients that the distribution of their estate will happen as they direct (and not later varied by an Order of the Court), we also offer 'video Wills'.

While a video Will is not a valid testamentary disposition, the DVD production serves to record the instructions given by the client, the discussion that took place, the reasons for the disposition of the estate, the environment and circumstances under which the Will was executed.

The Vital Testimony is recorded in a controlled environment and supervised by us based on clear principles which, should the need arise, be acceptable to the Court.

While this service should be appropriate for a small number of cases, there has been a demand for it when elderly or infirm clients express concern that a dispute is likely to arise after their death. The fees for The Vital Testimony are quoted on a case-by-case basis but can start from £200 including VAT.

## The Largest Cheque

We accept that B&Q must be on the right track when thinking that people do like to 'do it themselves'. DIY Will writing is more commonplace as people strive to avoid what they perceive to be unnecessary legal fees.

## Case study.

In 2005 we settled a case where the deceased died worth £320,000, giving his estate between his three children in unequal shares.

The Will Writing Company made no notes evidencing the reasons why the distribution was unequal. The three children disputed and each claimed a greater share. No agreement was reached, regardless of extensive settlement proposals.

Against the advice of all three firms of Solicitors, the case went to Court. The Order was that the estate was to be divided equally, after 3x legal bill of >£30,000 each.

## Case study 2

Former office worker died 2002 worth c£540,000 leaving a home made Will. The Will was faulty in many ways, not least that it left no residuary estate from which IHT, debts and expenses could be paid. The beneficiaries contested the resulting application of the Abatement rule. In 2009 the case was completed with the legal fees being some 350% higher than they should have been.

## Commitment to you

The Wills we produce use proven clauses. Each Will is unique to your client and the well produced document will not appear to be 'press of a button' template driven form.

We value your referral and your client needs to be assured that their 'Largest Cheque' does exactly what they intend.

## The Legal Review Programme

It is a little-known fact that an advisor who has prepared a Will including tax planning has a continuing obligation to ensure its effectiveness. Consider then the number of Wills in existence that contain, what we regard, as the now ineffective Nil Rate Band Discretionary Trust.

As part of our continuing commitment to you and to our clients we operate this simple and effective service where we reconsider the Testator's Will annually.

## BDLaw On-line

For the last two years we have offered an on-line case management service to our clients. The ease with which clients receive messages from us, amend their draft documents and, afterwards, view the scanned executed versions has proved the single most popular service we offer.

For you, this service offers the chance to remain 'in the loop'. With the client's permission, you will access their file, consider our advice and contribute from time-to-time as necessary. By doing this, your clients will grow to value the co-ordination between their advisors and be grateful for your recommendation.

## Fees.

In your face-to-face client meeting you are required to tackle the myriad of FSA compliance issues. We have no wish to make your task more difficult by introducing fee-scales so our prices are:

Single person Will

We charge a flat-fee of £190 (including VAT).

Couples

We charge a flat-fee of £375 (including VAT).

These fees include membership to The Legal Review Programme for the first twelve months.

**Will Writing from Bowman & Drew is refreshingly simple to use and our IFA service is designed to help not hinder you.**

We believe that advice can be simple and cost-effective, while still treating clients fairly.

**We want your business.**

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