

Will stands despite family challenge

“...we can help make sure that your estate is administered efficiently and without unnecessary delay.”

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It is often the case that families consider they are entitled to inherit the estate of a relative, but in most cases people are free to distribute their assets as they see fit.

In a recent case heard in Bristol, the niece and nephew of an elderly man claimed that his will – which left the bulk of his estate to two brothers, with whom he had been friends for years, and the rest of his estate to charity – was a forgery.

The man had suffered a stroke in 2001 and was visited regularly by the brothers until he died of natural causes in 2007, aged 90. The court heard evidence that he had not seen his niece or nephew for many years, but the brothers were frequent visitors. The man's accountant testified that she had been told that he intended to give his estate to the brothers and both the witnesses to his will testified that he had asked them to witness his signature.

Faced with such solid evidence, the Court concluded that the will was valid and rejected the claim of the niece and nephew.

Andrew Renton, Partner at Bowling & Co comments, “Had the elderly testator used a firm of solicitors to draw up his new will and arranged for a copy to be retained by them, the case would almost certainly never have come to Court in the first place. In this case, the winding-up of the estate was delayed for a long time by the challenge to the will. We can help make sure that your estate is administered efficiently and without unnecessary delay.”