

# Beware of "DIY" Probate

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It is entirely possible to apply for probate and deal with an estate, without seeing a lawyer, but it's not without risks warns James Rousell, Partner at Wall James Chappell and member of legal group, Solicitors for the Elderly (SFE).

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, and Partner at Wall James Chappell, James Rousell, 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.'

Wall James Chappell 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, we 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.

If you require any further information, contact James Rousell on 01384 371622 or [j.rousell@wjcalw.co.uk](mailto:j.rousell@wjcalw.co.uk)

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