

Understanding Will Disputes

WHAT IS A WILL DISPUTE?

When someone believes that a will doesn't reflect the deceased's true intentions, or they believe they've been unfairly treated.



WHO CAN CHALLENGE A WILL?

Beneficiaries named in the will

Those left out of the will but who might expect to benefit

Beneficiaries named in an earlier will

Creditors to whom the Deceased owed money

ON WHAT GROUNDS CAN A WILL BE CHALLENGED?

Lack of testamentary capacity

Undue influence

Lack of valid execution

Fraud or forgery

Claims under the Inheritance Act 1975

HOW LONG DO I HAVE TO DISPUTE A WILL?



Time limits depend on the claim, but it is wise to act promptly.

IS IT EXPENSIVE TO CHALLENGE A WILL?



Costs can vary widely based on the complexity of the case and the duration of the dispute.

CAN I AVOID COURT?



Mediation is where a neutral third party helps both sides come to an agreement. Mediation can be quicker, cheaper, and less confrontational than Court.

CAN THE WILL BE CHANGED?



If all beneficiaries agree, they can change how the assets are distributed using a 'Deed of Variation'.