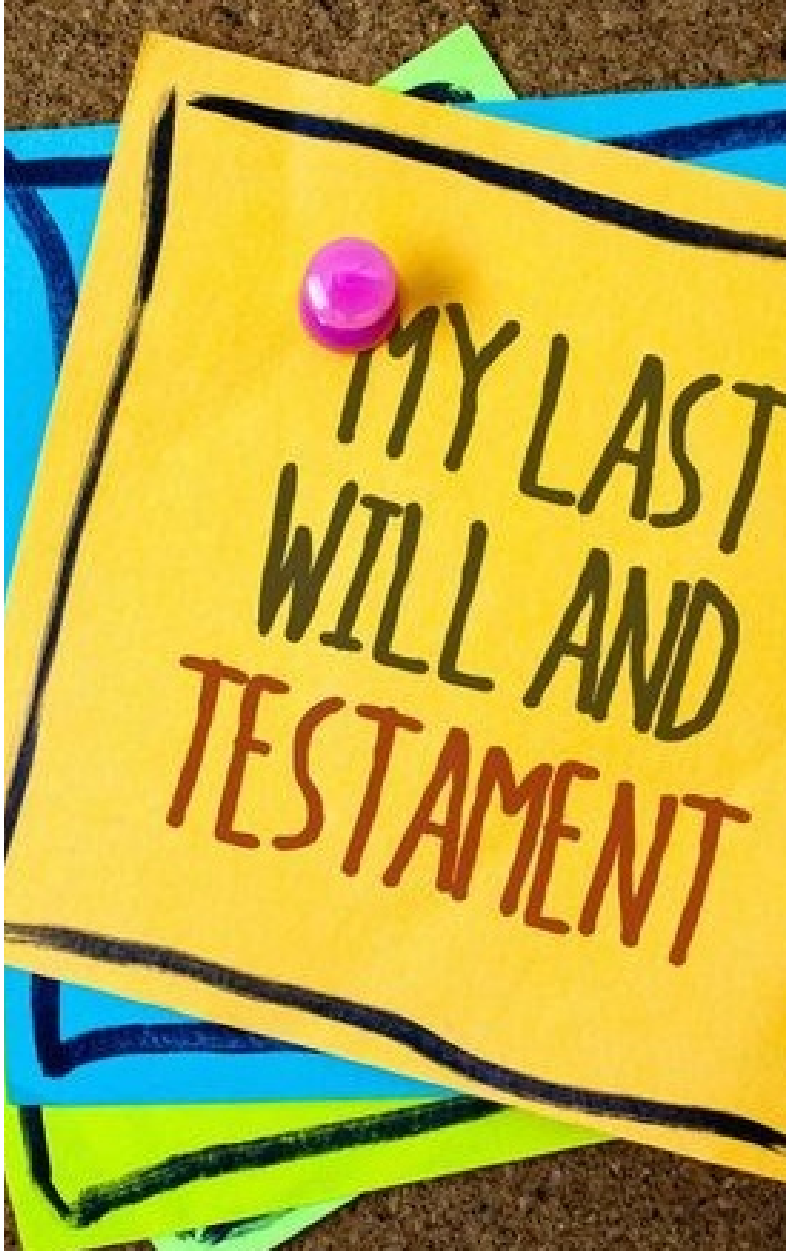




## Tips in support of writing a will

By Geoffrey E. Odongo



A will is a legal declaration by a person of his intentions or wishes regarding the disposition of his property after his death. When a person dies without leaving a valid will, their property (the estate) is shared out according to intestacy rules. These rules mainly provide for the spouses and other close relatives of the deceased unlike a will whose benefits include:

1. Maintaining control over your estate by ensuring your money and possessions are distributed in the way you prefer by for instance considering incapacitated beneficiaries who may need special or extra provision.
2. A will enables you accommodate many common circumstances of modern life that are not envisaged by intestacy. For example, people increasingly live together rather than marry. Cohabitants have no rights within the definition of the intestacy rules; Also, there is increasing concern over 'predatory' marriages whereby, elderly and vulnerable individuals are targeted by younger people in a bid to inherit their assets.
3. Avoiding arguments and disputes over your estate by enabling you appoint personal representatives of your own choice and also make your funeral wishes clear.
4. Allows you to benefit persons outside your immediate family unlike the rules of intestacy which allow you to only make provision for your next of kin. Such outsiders may include organizations and causes close to your heart.
5. Wills enable you make prudent decisions as they can be worded so as to defer absolute entitlements to minors as in cases where it may not be in the best interests of children for them to become entitled to large sums at the age of 18.

At AIP Advocates, we have lawyers who will guide you on legal matters arising from succession matters while ensuring your interests are protected.

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