



GallieMiles

— LAWYERS —

A Guide to Wills and Enduring Power of Attorney

GIVE YOURSELF AND YOUR LOVED
ONES PEACE OF MIND.

WE SPEAK
your
LANGUAGE





Wills

HAVING A WILL SORTED WILL GIVE YOU AND YOUR LOVED ONE'S PEACE OF MIND AS TO WHAT YOU WANT TO HAPPEN WHEN YOU DIE.

WHAT IS A WILL?

Your Will contains your instructions about what you want done with your assets when you die and how you want your children to be looked after. Your Will could be the most important document you ever sign. A well drafted up-to date Will can relieve financial and emotional strain on your family after your death and help minimise the likelihood of a dispute about your estate.

If you don't have a Will, or if your Will isn't valid for some reason, what you want to happen as to the distribution of your assets may not happen in reality. Therefore, it is really important to have a valid Will in place.

WHEN SHOULD I MAKE A WILL?

Now.

Even if you don't think you own any substantial assets, you can quite quickly build up a collection of assets that can have monetary or sentimental value to you and to others. You may have some money in a savings account, a car, furniture and household items, expensive equipment for a hobby, a KiwiSaver account or some jewellery, for example.

Typically, your Will includes a range of things including but not limited to:

- Details of family members you want to provide for;
- How you want to distribute the assets you own (such as property);
- Specifying a guardian to look after your kids;
- Instructions for leaving special gifts and meaningful things to people or organisations you choose;
- Special instructions for a funeral;
- Naming the person (executor) who will carry out your wishes.

HOW DO I MAKE A WILL?

If your Will does not comply with the law it may be invalid. Therefore, we always recommend you consult a lawyer to prepare your Will. We can:

- Suggest how you can best and most fairly provide for your family and dependents to avoid or at least limit the chance of a claim being made against your estate;
- Advise on the appointment of suitable executors;
- Express your wishes so they have the legal effect you intend, and ensure your Will is properly signed and witnessed in accordance with the law;
- Tell you about alternatives you must consider (including who may challenge your Will and why – this can be a complex area of law); and
- Explain how relationships might affect your Will.

Whenever you go through a big life change, like the birth of a child or change in a relationship, such as a separation, we recommend reviewing your Will. It's important to know that if you get married, your Will that you had prior to marriage is no longer valid.

"Renee has been amazing, right from our initial meeting to the completion of the process we have felt well supported and advised. As always a fabulous service from Gallie Miles."

KAREN AKHTAR - CLIENT

Get started with your Will today! Scan to fill in our Will Preparation Checklist online.





Enduring Power of Attorney

IF YOU'RE GETTING A WILL, IT'S A GOOD TIME TO ALSO SET UP YOUR ENDURING POWERS OF ATTORNEY.

WHY DO I NEED AN EPA?

What would you want to happen if you lose the ability to make decisions for yourself? Are your wishes for your personal care and welfare known? Will your property be protected and looked after?

An Enduring Power of Attorney (EPA) is a legal document that gives a person of your choice (your attorney) the power to act for you and make medical or financial decisions, should you lose the ability or capacity to make your own decisions. There are two types of EPAs – Property and Personal Care and Welfare.

An EPA for Property only grants your attorney the authority to handle your personal property and financial matters.

Whereas an EPA for Personal Care & Welfare gives your attorney the authority to make decisions about your lifestyle, where you live, medical treatment or any other welfare related decisions if you are mentally incapable and cannot make these decisions for yourself.

HOW DO I MAKE AN EPA?

You need independent legal advice when signing your EPA. You also need to have the documents witnessed by a lawyer or a qualified legal executive. We can help you set up your EPAs and provide the advice required.

GET STARTED WITH YOUR WILL TODAY!

Will Preparation Checklist



Rather fill in online?
Scan the code for our
online form.

1. What is your full name, occupation and address?

2. Who do you want to be your executor/s – we will need your executors full name, address and occupation?

ADVICE NOTE - your executors are the people who carry out your wishes when you die. They will work closely with your solicitor to administer your Estate. Often people will appoint two people to act together, or one person (such as their spouse or partner) and then a back up person if their spouse or partner is unwilling or unable to act in that role.

3. Are you married, engaged, separated or in a long term relationship? If so, what is the full name, address and occupation of your current spouse or partner?

ADVICE NOTE - Your current and previous marital status can impact on the types of things that need to be considered in your Will. Your Will is invalid if you marry after you have made it. Divorce can also impact some of the clauses in your Will. So, its important to contact us if your marital status changes once your Will has been made.



4. Do you have any children, if so, what are ALL of their full names and dates of birth?

5. Are the children with your current partner? Yes/ No

6. Are your children under the age of 18 years, if so who would you like to appoint as the guardian of your children? You can only appoint one person to act at a time.

ADVICE NOTE – the guardian of your children is not necessarily the person that they live with, rather this is the person that you want to have the legal right to make the major decisions for your children until they turn 18 – where will they live, what school will they go to, if they need medical treatment, what type of treatment is required.

7. Do you want to be buried or cremated? Is there any particular place that you want to be buried or your ashes to be scattered?

8. Do you wish to donate any body parts for medical research, organ donation or science?

ASSETS

9. Do you have any specific personal items that you would like to go to specific people – examples often include family heirlooms, jewellery or firearms. If so, what are those items (eg “my mother’s ruby engagement ring”) and what is the name, address and relationship to you of the person you would like that item to go to?

10. What assets do you own? If you own a property, what is the address of that property?

11. What would you like to happen to your assets (property, bank accounts, Kiwisaver etc) when you die?

ADVICE NOTE – Some people leave everything to their wife/husband/spouse in the first instance and then when they both die, leave everything to their children equally. This is called a simple Will. However, if you are a blended family, the best option for you may be different as a simple Will can create risks of a claim against your estate. Therefore, if you are a blended family, it is best to discuss what you would like to happen with your assets with your lawyer.





GallieMiles

— LAWYERS —

Will and EPA Experts

Our legal experts can help you with your Wills and EPAs
and discuss your options – we're here to help.



NICOLE PORIMA

nicole@gallie.co.nz



SHELLEY GREER

shelley@gallie.co.nz



RENEE DUNN

renee@gallie.co.nz



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P: 07 872 0560 | www.galliemiles.co.nz

Hamilton
33 Rifle Range Road

Te Awamutu
380 Alexandra Street

Otorohanga
11 Tuhoro Street