



Wills & Powers of Attorney Information Sheet

WILLS

Please consider the following issues in relation to making your Will:

1. The full name(s) of the Executors you would like to appoint.
2. The full name(s) of the Beneficiaries you would like to include.
3. Any specific items that you would like to leave to any Beneficiaries
4. The full name(s) of the Guardians you would like to appoint for infant children (if applicable).
5. If you would like to provide any direction as to your funeral or burial

EXPLANATION OF TERMS

Will – is a legal document setting out your wishes for distribution of your Estate after your death.

Estate – consists of everything you own, including personal property and real estate. An Estate is often dealt with in broad terms but you can also make specific **bequests** of any particular item. For items such as rings and jewellery it is permissible to leave a note with the Will.

Executor – the person or persons you appoint to carry out your wishes in your Will. It is important to appoint the appropriate person who is capable of handling the responsibility for making funeral arrangements, paying bills and collecting and distributing your assets (usually done with the help of a solicitor). It may be prudent to also nominate an alternate Executor in case the first Executor is not willing or able to act. The Executor is normally a family member or a trusted friend.

Trustee – the description given to your Executor once assets are collected and held on behalf of your Beneficiaries.

Beneficiary – a person who receives money or benefits as specified in your Will.

Guardian – a person you appoint to look after the interests of infant children if both parents die. The Department of Human Services has overall responsibility for orphans but usually observes the wishes of parents where indicated by the appointment of a guardian.

POWERS OF ATTORNEY

A Power of Attorney operates while you are alive and allows you to appoint a nominated person to act or to make certain decisions on your behalf. The most common forms are:

Enduring Power of Attorney (Personal, Financial & Legal) – allows a nominated person to assist in personal and lifestyle matters, operate your bank accounts, make financial decisions and sign documents of a financial or legal nature on your behalf.

Enduring Power of Attorney (Medical Treatment) – allows a nominated person to discuss and make medical treatment decisions for you in consultation with doctors.

Appointing an attorney is an important decision as the role involves serious responsibilities. Once you die, any Power of Attorney automatically ceases and your Will takes effect.

ADVANCED HEALTH CARE DIRECTIVE

Every competent adult has a legal right to accept or refuse medical treatment.

An Advanced Health Care Directive is a document that sets out your preferences for medical treatment. Commonly, it will:

- Set out limitations on treatment you wish to have, although it may indicate that you wish to have full measures to prolong life
- Stipulate medical treatment preferences, including those influenced by religious or other values and beliefs
- Identify circumstances unacceptable to you arising from applying life-sustaining treatment such as artificial respiration
- Identify how far treatment should go when your condition is “terminal”, “incurable” or “irreversible” (depending on terminology used in specific forms)
- Nominate a “person responsible” who consults with doctors concerning your wishes when you can’t
- Include other non-medical aspects of care that are important to you during your care

FEES

Our Professional Fees (current 1 January 2017)	Single	Couple
Will	\$300	\$500
1 Power of Attorney (Personal, Financial & Legal OR Medical)	\$250	\$400
2 Powers of Attorney (Personal, Financial & Legal AND Medical)	\$400	\$500
1 Will and 1 Power of Attorney	\$500	\$600
1 Will and 2 Powers of Attorney	\$600	\$700

PAYMENT

Payment may be made by cheque or cash only. Credit card and EFTPOS facilities are not available.

Please Note

Home visits can be arranged and will be quoted upon request.

Complex Wills and Testamentary Trust Wills may be required if your circumstances are more complicated. We will discuss this with you in detail if required.

To make an Appointment, please call 9398 2377

or

Email reception@locallawyers.com.au