

EP AUDITS

Duncan.Legal offers a ½ hour Estate Planning (EP) Audit free-of-charge!

Marg will meet with you to understand your Estate Planning goals, your personal circumstances and the complexity of your assets.

At the end of the 30 minutes, Duncan.Legal will provide you with an estimate of the cost to update your Estate Planning.

Call: 9077 7731
or
Email:
reception@duncanlegal.com.au

ESTATE PLANNING – WHO TO APPOINT?

Some of the most difficult decisions that need to be made when addressing your Estate Planning are who to appoint in the major roles of:

- Executor
- Trustee
- Enduring Powers of Attorney (Financial, Medical & Personal).

Most couples appoint each other to these roles, however it is advisable to have ‘second tier’ or ‘alternative’ appointments in place. If you both die together or are, for example, in an accident where one party dies and the other is seriously injured and unable to make decisions, another person would need to step in to make decisions on your behalf. These appointments are even more significant when the life-long needs of a special needs child are factored in.

Elements to consider when selecting your appointees:

- Distance – family or friends who live a long distance from you may have difficulty in acting on your behalf when immediate decisions would need to be made, particularly medical. Someone who lives nearby would more easily be able to act effectively.
- Age – as your family members or friends age, their ability to make decisions not only for themselves but you may begin to wane. Similarly, nominating someone who is young may have its own challenges around inexperience and naivety.
- Role Suitability – consider how suitable your family member or friend is for the role you would like them to perform. For instance, a person that struggles to manage their own finances may not be suitable as a Financial Attorney or Trustee.

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**LAW
INSTITUTE
VICTORIA**



WINACCOM PRESENTATION

Duncan.Legal attended the AGM of Winaccomm Association on November 20 in Mount Waverley. A thank-you from the Association was graciously received in the form of a beautiful orchid, now sitting proudly in our conference room.

Winaccomm Association is a group of parents with special needs adult children. Their mission is to find pathways to independence for adults with an intellectual disability and to provide living skills training.

FAMILY LOANS

When family members help each other out financially, little thought is usually given at the time as to whether the help is a **gift** or a **loan**.

Even less consideration is given to documenting the arrangement.

From the perspective of asset protection or ensuring that beneficiaries are all treated equally when you pass away, the distinction can be a very important one.

Many expensive estate disputes and breakdowns in family relationships between siblings can be avoided if timely consideration is given to determining the nature of the financial support (gift or loan) at the time that it is made, and documenting this intention in writing.

PROBATE

&

ESTATE ADMINISTRATION

Duncan.Legal provides Estate Administration and Probate services.

If you need to apply for a Grant of Probate (as you are an Executor), Letters of Administration (for someone dying intestate) or Administer a Deceased Estate, we can help you.

We give you the flexibility to decide how much of the process you would like to manage yourself with our guidance or we can manage the estate administration process in its entirety for you.

For further information please call Lee on 9077 7731 or Email: reception@duncanlegal.com.au

ABOUT US

Duncan.Legal is a small law firm based in Surrey Hills. We offer personalised, caring service with an interest in assisting families with disability. Each of us are parents of children with autism and bring our life experience to our work.

We operate from a home office in the eastern suburbs in a quiet back street. There is easy access with all day parking (no permits or tickets required), or we are a short walk from Tram Route 109, stop 50. Our meeting room can seat up to 12 people, so family conferences can be accommodated.

We invite you to consider Duncan.Legal when you need advice with your Estate Planning.

Contact Us

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