

# Making a Will

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Solicitors, Land Agents and Notary Public

## WHAT HAPPENS IF I DIE WITHOUT MAKING ANY WILL?

If you die without making a Will, the law provides that your spouse or civil partner is entitled to your entire estate if there are no children. If you leave a spouse or civil partner and children your spouse or civil partner gets two-thirds and one-third goes to your children. If you do not have a spouse or civil partner, your entire estate goes to your children. In either event, if there are children under the age of 18 years, trustees must be appointed. If a child of yours dies before you leaving children, those children take their parent's share. If you do not have a spouse, a civil partner or children, your parents are entitled to your entire estate. If both parents are deceased, then your estate is divided between your brothers and sisters (if any brother or sister dies before you and leaves children, then those children (your nieces and nephews) take their parent's share).

## WHERE DO I START?

Record the basic information (see sample questionnaire attached to this leaflet):

### • YOUR ASSETS, THEIR VALUE AND WHERE THEY ARE LOCATED

It is important that after your death your Executors will be able to find details of all your assets and know where to find bank accounts, shares/savings certificates, deeds, life insurance policies and all relevant financial information. If you are in receipt of social welfare or nursing home supplements from the State, e.g. under the 'Fair Deal Scheme', you should ensure the details of the type of benefit you have received will be available to your executors. You should also have all these details available when making your Will for your solicitor to advise you fully on legal or taxation implications that could arise from the holding of these assets.