

Wills, inheritance and probate disputes

However unpleasant a process it might be, if you believe that you have been denied your legal entitlement to the estate of a friend or family member it is essential that you seek legal advice regarding the possibility of making a successful Wills dispute claim.



This type of legal action, under UK probate law, is very common in the UK and whether your dispute involves a sibling, a stepsibling, a stepparent or some other party, Oratto's member specialists can help you uphold your full rights under the law.

CONTESTED PROBATE CASES ON THE RISE



700%

the increase in contested Wills at London's High Court witnessed between 2008 and 2013



85%

the increase in the number of applications at London's High Court seeking to have a whole Will declared invalid (73 to 135)



10 → 82

High Court Will dispute cases over individual clauses rose from 10 in 2006 to 82 in 2011*

*Ministry of Justice figures as obtained by The Independent newspaper



37%

More than one third of millionaire families have been involved in a contentious Will dispute*

*Survey by private bank Coutts

BLENDED FAMILY WILL DISPUTES

Over recent decades there has been an unprecedented rise in the number of "blended families". Families with step children and step grandchildren are now an increasing part of the landscape of British family life. Inevitably, this has led to a surge in the number of Will disputes and inheritance act claims, most commonly by children of a first marriage seeking to claim inheritance rights over a second or third spouse of a deceased parent.

Such contentious probate disputes can quickly become acrimonious and seeking advice from an experienced Wills dispute solicitor, at an early stage, can help ensure that you receive clear guidance regarding your probate rights and your options.



42%

of marriages end in divorce



46%

of marriages are second or subsequent marriages



Half a million stepfamilies in the UK



One in every 10 children is part of a blended family

Office of National Statistics 2012

PROPERTY WILL DISPUTES

The price of UK property continues to rise, and older generations frequently leave behind them property that is valued at life-changing sums. This has undoubtedly been a factor in the rate of Will disputes and contested probate claims in the country, with high property values providing children, spouses and other dependants greater incentive for disputing a Will, particularly where complicated family structures such as blended families are also a factor.

In other situations the property may be of high sentimental value, with some beneficiaries wishing to sell the property and others wishing to keep it in the family.



£295,000

average value of new dwelling

£214,000

average value of pre-owned dwelling

£489,000

average value of London property

UK House Price Index summary: August 2016

Common grounds for a successful Will or inheritance dispute claim include the following:



Incorrect execution of a Will



Lack of mental capacity on the part of the testator



Lack of sufficient knowledge on the part of the testator



A forged or fraudulent Will



Exertion of undue influence on the testator

Furthermore, it may be possible to mount a successful Will dispute claim if you can prove that under the Inheritance (Provision for Family and Dependents) Act 1975 the terms of the Will did not ensure that you were adequately provided for.

ORATTO – EXPERT HELP WITH CONTESTED PROBATE, WILLS AND INHERITANCE DISPUTES

Oratto exists to put you in contact with the legal practitioner who is best suited to your personality, your location and the details and circumstances of your case. Our member solicitors are specialists in their fields, are signed up to the Oratto Member Lawyer Code and have experience of handling some of the most complex and difficult Wills disputes.

When you come to Oratto, our priority is always to find you the right solicitor for your needs. Let us help you make contact with a specialist today.

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