

Call Stoke-on-Trent (01782) 639716

## Missing & Lost Wills

*A Guide provided by Rod Jones of Convenient Wills*



### Welcome

Thank you for requesting this guide.

This guide aims to help you find a missing Will. The guide is one of a wide range of guides available from our web site [www.convenient-wills.co.uk](http://www.convenient-wills.co.uk). I hope you find it helpful and informative.

We take great care to ensure the technical accuracy of this guide, however we do not accept any liability for any mistake, error, or omission from this guide. Nothing in the guide should be regarded as giving specific advice, and it should not be relied upon as a basis for any decision or action. We regret we cannot accept any responsibility or liability for any adverse outcomes for you or your family, no matter how caused.

*Rod Jones*

Rod Jones A.C.I.B.  
Proprietor of **Convenient Wills**

## Hyperlink Technology

All our downloadable guides and reports use hyperlink technology. This allows you, if you are reading the document direct from a computer with access to the Internet, to click on a hyperlink (indicated with blue, underlined text) and you will be taken through to the appropriate article.

Please note that the guide is not designed to be printed off; if you wish to print off the guide please [contact us](#) and we will send you an amended version.

## We are Here To help

If after having read the guide you still have unanswered questions then please feel free to contact us by e-mail at [info@convenient-wills.co.uk](mailto:info@convenient-wills.co.uk); we will endeavour to help you.

### 1 Overview

When a person dies their estate has to be sorted out, or 'wound-up' to use the more technical name. If the deceased made a valid Will that duty is the executor's responsibility.

The deceased-person's Will is the authority for an executor to step into the shoes of the deceased person. This though can be problematical if the original Will cannot be located.

Many Wills are difficult to locate. The aim of this guide is to help you locate a missing Will.

### 2 Common locations

If you cannot locate a misplaced or missing Will (but you know it was definitely made) then you will need to search for the Will. Wills are typically stored ....

- **at home;** Many wills are stored at home, and in many circumstances this has advantages over the other options because this is the first place that many executors will look. There are risks though with storing a Will at home: fire, damage, unauthorised tampering, and accidental destruction -- which is why many Wills are stored at other locations.
- **'My important document box/drawer'** is a common answer given by our clients when we ask 'Where are you going to store your will?'. So, did the deceased have a place where they store all of their important documents?
- **In a Safe:** Some people store their wills **in a safe**, hidden in the floor or wall (or sometimes at work). Did the deceased have a safe? And do you know the combination number or where the key is stored?
- **Copy Wills:** While searching look out for copy Wills too. Quite often a copy will shows who drafted the original and the will-drafter may be able to shed more light on where the will is stored.
- **with a family member;** There are advantages to giving an original Will to one of the executors to keep. Where this happens the testator would normally keep a copy

in their own home -- which in theory you should be able to locate. You may have to speak to close members of the family and friends to see if any recall the testator making a will.

- **at a High Street Bank;** check out where the deceased's banked and approach them; you may need to write/contact a number of them to request they check their records.
- **At a Solicitor's office;** many solicitors offer free storage where they either draft the original will, or are appointed as executor of the will. The problem for the family/executor is that solicitor practises merge, (or more worryingly close) on more frequent occasions than people often realise, thus you may have the time consuming task of trying to locate the whereabouts of your relative's Will from a wide number of solicitors in the area.

The sundry paperwork relating to the deceased's property title deeds may give an indication of a past relationship with a local solicitor. And families often have a 'family' solicitor.

- **at the Central Probate Registry;** there is a growing trend to store Wills at the Central Probate Registry. Costs are competitive, and there are advantages to using this service. Approach them to check. Our [links page](#) gives contact details.
- **with a will writers;** In recent years home-visit will writers have been offering storage facilities. For many it is a valuable income source. Many are not registered with any trade body. A phone call to the **Society of Wills Writers**, or the **Institute of Professional Willwriters**, or to **Kings Court Trust Corporation** may yield results. Otherwise look for evidence of storage elsewhere -- such as plastic laminated cards, certificates of deposit, or correspondence from a Will writer.

For future guidance we always recommend testators notify their executors where they have stored their will.

### **3 Professional Services**

There are a number of companies who claim to store details of where millions of Wills are kept. Google 'missing will' or 'National will register' for a list of these companies.

### **4 Is This the Latest?**

Be aware that it is possible for there to be two or more Wills (with different executors appointed in each one) -- so do not necessarily assume that the first Will that you find is the latest Will of the deceased. The latest Will should revoke all the previous Wills (unless the testator has property abroad and has made a Will specifically to cover that property).

### **5 The consequences of not finding a deceased's will**

The consequences of not finding the deceased's Will are that he/she will be deemed to have died intestate, and his/her estate will therefore be distributed in accordance with the fixed Rules of Intestacy.

The responsibility for sorting out such an estate is undertaken by an administrator (rather than an executor). There is a 'pecking order' of who is appointed as the administrator.

The administrator will be forced to undertake greater work [when compared to the tasks of an executor] to sort out the deceased's affairs, work that will be more costly than if an executor was officially appointed. It is therefore worth searching for a will.

## **6 Further Guides**

We hope you have found this guide informative.

You may find the following additional guides helpful:

- Why Make Your Will
- ['Trusts, Traps and Wills'](#) -- which explains about the various types of trusts that can be included within a will. The inclusion of a trust within a will can provide very valuable additional benefits that are not available with a standard type of Will; and
- ['The Secrets Will-writers and Solicitors would prefer you not to know'](#) -- lists some of the clever marketing techniques used by solicitors and Will writers to entice you to use their services as opposed to using a competitors' service - even though the competitor may provide better quality for lower costs.

More information and helpful, informative guides are available from our web site, or by calling us direct.

## **7 Make (or Update) Your Own Will**

Sorting out a person's estate will probably make you realise how important having an up-to-date Will for yourself actually is. When matters have settled please call us to see how we can help.

**Convenient Wills** is the only home visit, specialist Lasting Powers of Attorney & will-writing business located in Newcastle-under-Lyme that covers North Staffordshire, South Cheshire and North Shropshire.

We would like to help you

If you would like to sever the tenancy of your property, changing it from 'joint tenants' to 'Tenants in Common' then please call us. We have significant experience of severing tenancies.

We also have significant experience in drafting Wills. Making your will can be time consuming and relatively stressful. Using us can be quicker and more cost effective in the longer run.

We have a fixed transparent tariff so you can see how much our services will cost.

The fees for our Wills are set at a fixed fee - irrespective of how complex your circumstances are. This means that our prices for a simple Will are competitive with the rest of the market, but if your circumstances are complex then our services represent extremely good value for money.

Please note: we charge a fee for severing the tenancy of a property as this is deemed a separate service to drafting a Will.

If you need to make your Will we offer:

- A home visit will writing service; and

□ A wills-by-Phone service

Both services provide you with a professionally drafted Will, at a very competitive price.  
For more details please call Rod on:

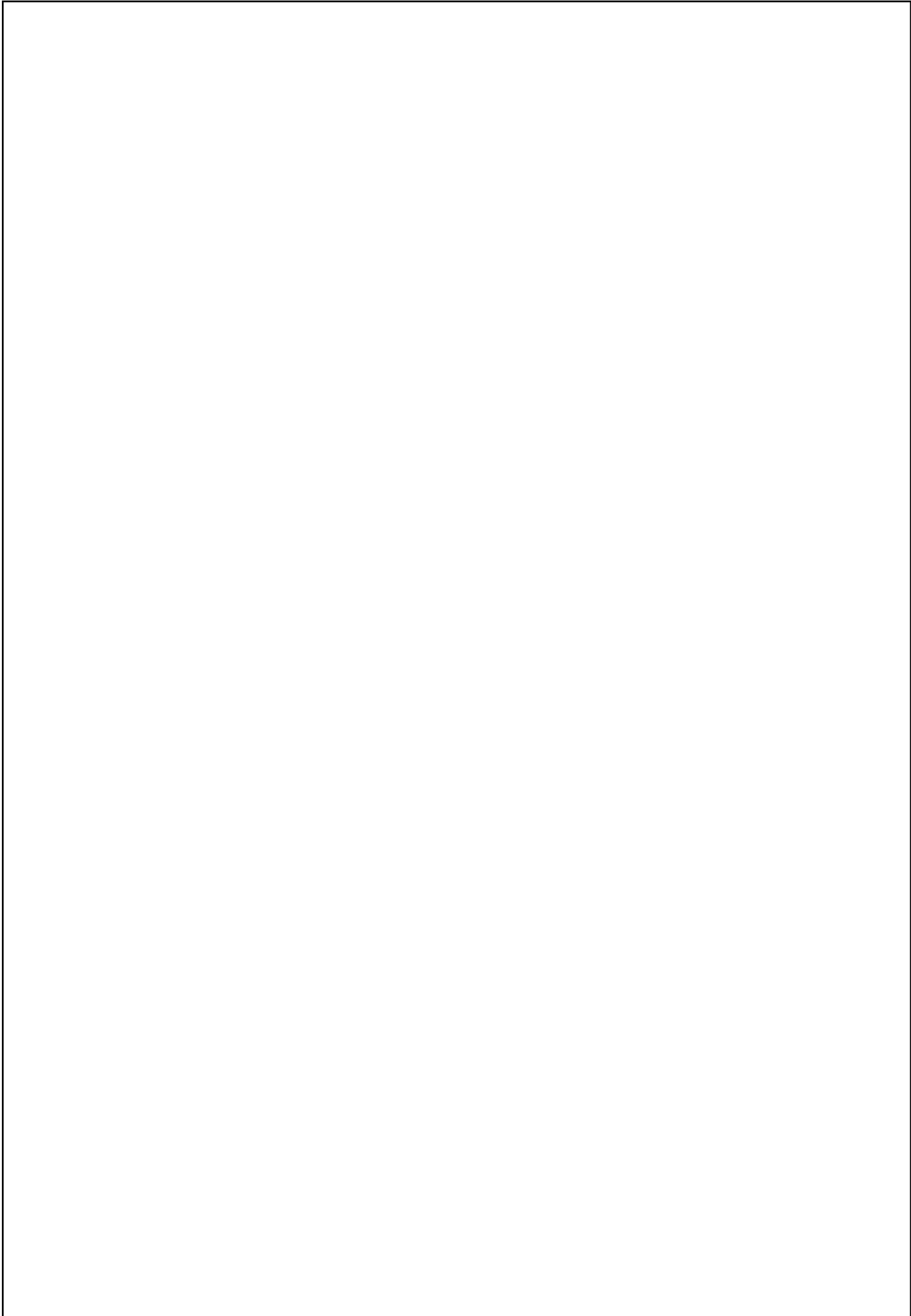
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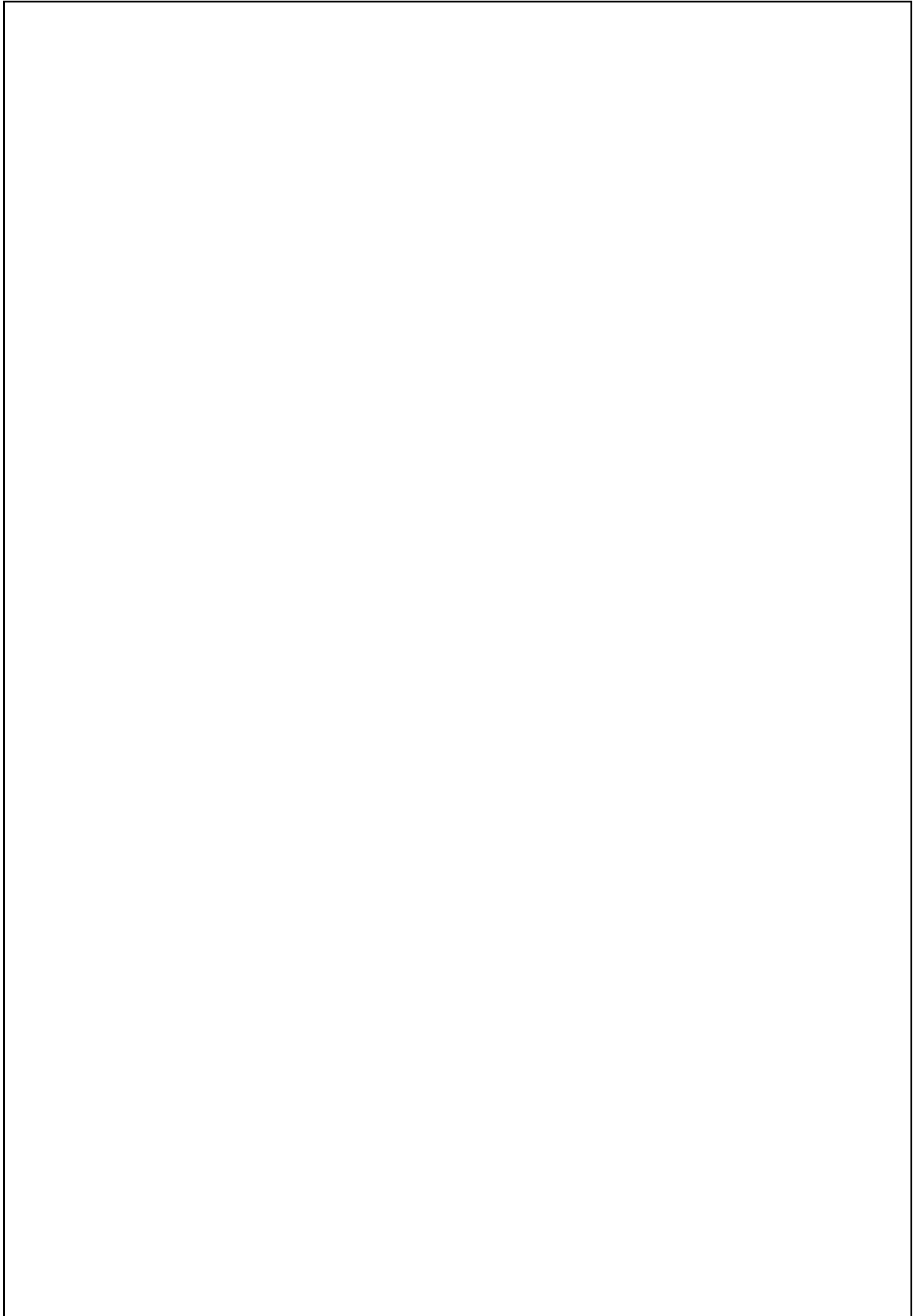
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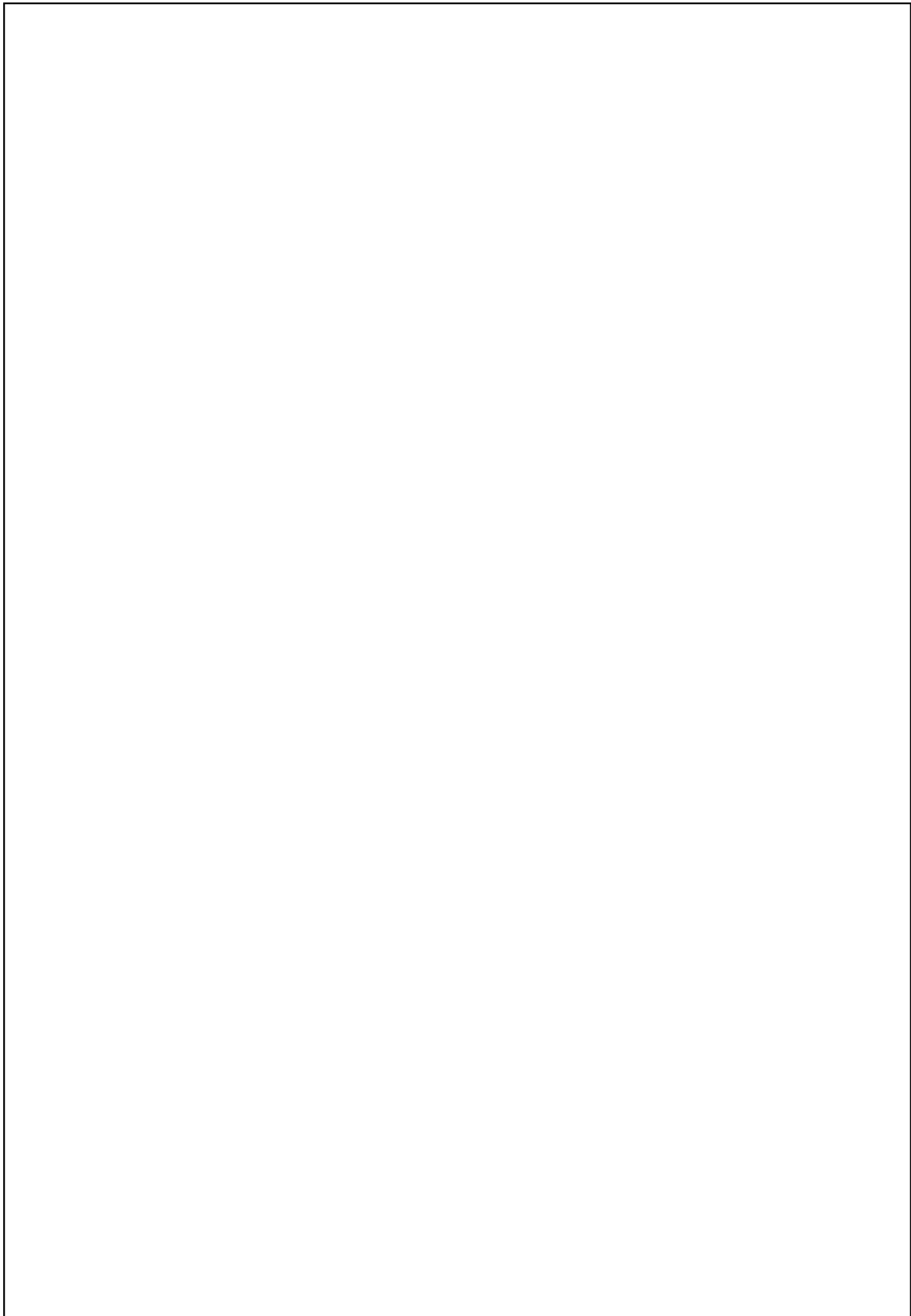
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Protecting People & Property



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a free brochure

**The Ugly Truth About Wills**  
**A professionally drafted Will gives you and your family peace of mind. An out-of-date or non-existent Will does not.**

Our home-visit service offers you:

- ✓ jargon-free advice that explains all the many aspects you should consider when making or updating your Will
- ✓ convenient home-visits
- ✓ flexible appointment times - including evening and weekends

**We specialise in quality, low cost Wills and Lasting Powers of Attorney**

Please call Rod Jones on **01782 639716**  
or visit **[www.convenient-wills.co.uk](http://www.convenient-wills.co.uk)**  
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