BUTLERS

Barristers & Solicitors
Notary Public

The Personal Law Firm

WILLS & ESTATE PLANNING

A large part of our practice at Butlers involves the preparation of Estate Plans, Wills, Enduring Powers of Attorney, Applications for Probate, the Administration of Estates and Claims on Estates.

We find that many of our clients are unaware of the importance of proper planning to provide for their family and to protect their assets in the event of death or disability. Few have a comprehensive and current Estate Plan, including a comprehensive Will which deals with issues such as Superannuation, Taxation and Testamentary Trusts. Some who have Wills are not aware that their Wills are either invalid, out of date or create taxation and other problems for their beneficiaries. For instance, we still find that there are many people who are not aware that marriage invalidates an existing Will. There are also many situations where it is important to explain why you have **not** provided for someone in your Will, as well as to ensure that you **do** provide in the way you intend for those whom you wish to benefit from your Will.

Our aim at Butlers is to work closely with our clients to assist them as they build their wealth, and to ensure that their wishes are carried out as to how that wealth is to be shared and preserved when they die.

When we prepare an Estate Plan for a client we review all aspects of their financial circumstances such as:-

1. The present ownership of all assets owned by our client, including taxation liabilities and issues relating to those assets.
2. The present ownership of any business assets, including taxation liabilities and issues relating to those business assets.
3. Possible benefits available to our client from restructuring the ownership of personal assets and business interests, including real property.
4. Present superannuation entitlements, including insurance cover and beneficiary provisions applying to that superannuation.
5. Potential benefits available from more effective use of superannuation.
6. Potential Capital Gains Tax and other tax implications of our client's wishes with regard to the passing on of their assets to other family members.

In addition to the immediate financial issues we find that many of our clients benefit from the opportunity to discuss with us issues such as:-

1. Choosing an Executor
2. Duties of an Executor
3. The appropriate use of Enduring Powers of Attorney
4. Control versus ownership of assets, particularly with Discretionary Trusts
5. Providing for children from a prior marriage
6. Providing for a spouse where there has been a prior marriage

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7. The possibility of claims being made against their estate under the Inheritance Act

Our aim is to see every adult Australian with a current, comprehensive and tax effective Will. We therefore encourage you to act now to obtain the information and advice which will ensure your wealth is preserved and distributed in the way that you want!

We are regularly asked how much it will cost to prepare a Will and an Estate Plan. As the amount of work involved varies considerably from client to client, we have prepared this guide which sets out the usual services and charges in the preparation of a Will and an Estate Plan. An initial consultation and preliminary advice in relation to your Will and Estate Plan will be based upon the hourly rate of the solicitor taking your instructions (see our current schedule of charges). You will be under no obligation at the end of the initial appointment to retain our services.

Wills	$450 -$750 (single) $750 - $900 $750 - $1,500 (couple) $900 – $1,500
Enduring Power of Attorney	If not prepared with Will: $150 (single) $200 (couple) If prepared with Will: $75 (single) $100 (couple)
Discretionary Trust Deed	$350 - $450 ? $450 - $600
Declaration of Trust	$300 - $500 $450 - $600
Review existing Trust Deed	$350 - $500 $450 - $600
Prepare Deed of Variation	$300 - $450 $450 - $600
Prepare Deed of Appointment	$250 - $450 $350 - $500
Partnership Deed	$450 - $900 $500 - $900
Farming Lease Agreement	$750 - $1,200 $750 - $1,200
Business Succession Agreement	$1,500 - $3,000 $2,500 - $4,000
Shareholders Agreement	$1,500 - $3,000 $2,500 - $4,000

Please note that the above charges do not include GST.

We advise that the quoted charges are for the preparation of the **document only and signing** and **do not** include the following:

Meetings
Phone calls
Reviewing related documents for an Estate Plan
Letters of advice
Any other letters apart from letters forwarding documents to you
Fees to stamp and register documents e.g. stamp duty and Landgate (DLI) fees
Disbursements e.g. photocopying, binding, title and company searches

At Butlers we pride ourselves on being "The Personal Law Firm". When you visit Butlers you can be assured of our personal attention and care. We aim to reduce your concerns by speaking and writing in plain English, cutting through legal jargon and keeping you informed at all times. Through it all, we work closely with your family's accountant, bank manager, financial adviser, and other professionals as required. We therefore encourage you to contact us if you have any queries in relation to Wills & Estate Planning.