



* clarke
willmott
solicitors

Services for St James's Place Partnership

www.clarkewillmott.com/sjp

“diligence and professionalism”

Chambers 2018

“they are good at listening to client needs and communicating in a client-friendly manner.”

Chambers 2018

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We have offices located in Birmingham, Bristol, Cardiff, London, Manchester, Southampton and Taunton and provide the full range of legal services to private clients and businesses including:

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Court of Protection

Our services include:

- Advising on the Court of Protection application process or applying to the court on your client's behalf
- Acting as a professional Deputy if a suitable friend or family member is not willing or able to fulfil the role
- Providing practical support and advice to help Court of Protection Deputies fulfil their duties
- Resolving disputes between the Deputy and other family members about decisions concerning property, finance, welfare or medical treatment
- Providing support and advice to those acting as Attorney
- Advice in relation to welfare disputes

Lasting Powers of Attorney

Our services include:

- Detailed consideration of your client's wishes and the drawing up of a suitable Lasting Power of Attorney to reflect these
- The appointment of a person your client trusts to make these decisions on their behalf
- The certification of the Lasting Power of Attorney – which confirms that the person making the Lasting Power of Attorney has the mental capacity to do so
- Registration of the Lasting Power of Attorney with the Office of the Public Guardian
- Acting as a professional Attorney, through our trust corporation, Clarke Willmott Trust Corporation Limited. This can avoid the costs and inconvenience of replacing an Attorney if they fall ill or die

Wills & Estate Planning

Our services include:

- Advising on and drafting different types of Wills tailored to meet clients' personal estate planning, tax mitigation and asset protection objectives
- Advising on and drafting Deeds of Variation
- Business succession planning which consists of Wills and associated documents designed to maximise the benefit of business relief from inheritance tax, ensuring the inheritance tax payable on an estate, which includes business property, is minimised to the greatest possible extent
- Reducing exposure to inheritance tax through tax efficient Wills
- Professional executorship through Clarke Willmott Trust Corporation Limited, if required

International Estate Planning

We advise on:

- Will Structures to deal with both UK and overseas assets
- Residence and Domicile issues
- Excluded Property Trusts for non-domiciled clients
- Potential conflicts of succession law in different jurisdictions
- Taxation for those coming to or leaving the UK
- Obtaining Grants of Probate for UK assets of overseas estates

Estate Administration

Our services include:

- Full administration of the estate from registration of death to final distribution
- A tailored estate administration taking into account stages of the estate which may be dealt with by family or lay-executors
- A 'Grant Only Service' for smaller estates where professional help is available to obtain the Grant of Probate but with the lay-executors dealing with ascertaining and valuing the estate and distributing it to the beneficiaries
- Advising on tax mitigation in the estate administration for capital gains tax
- Advising on Deeds of Variation
- Full estate accounts and tax compliance for the administration period
- Links to other professionals for valuations, overseas assets, asset and beneficiary tracing and executors' insurance

Tax & Trust Administration

Our services include:

- Advising on and drafting trusts for a range of inheritance planning, tax mitigation and asset protection measures
- Advising on available reliefs for inheritance tax and capital gains tax
- Trust administration including the management of the trust assets and preparation of the trust accounts and tax returns
- Advising on the appointment and removal of trustees
- Professional trusteeship through Clarke Willmott Trust Corporation Limited, if required

Agricultural Tax & Estate Planning

Our services include:

- Wills and estate planning but with a particular focus on landed families
- Advising on succession issues and taxation for farming families
- Capital Taxes planning
- Agricultural and Business Relief audits and advice

Residential Property

We advise on:

- Buying and selling a residential property, including property investments, new build, and buy to let transactions
- Joint ownership, transfer of ownership or equity and partition of ownership, including matrimonial transfers
- Rural property
- Freehold, leasehold and lease extensions
- Landed estates
- Re-financing / Re-mortgaging
- Stamp duty land tax (SDLT)
- Probate sales
- Auction sales
- Land registry applications

Divorce & Family

We advise on:

- Divorce and separation
- Family business agreements
- Child maintenance, custody and access
- Mediation and collaborative law
- International family law
- Cohabitation agreements and legal advice for unmarried couples
- Prenuptial and post nuptial agreements.
- Intervenors and third party claims

Corporate

In relation to private capital, our corporate lawyers regularly advise on:

- Family Investment Companies
- Partnerships, joint ventures and shareholders agreements
- Private equity investments
- Corporate tax
- Family business agreements

Trust & Will Disputes

We can advise on:

- Contesting a Will if your client believes that the Will was fraudulent, the deceased was under undue influence when making their Will or the deceased did not have capacity to write a Will
- If your client or a member of their family thinks they should benefit from a person's estate, we can advise on the type of claim which could be brought to try to secure their inheritance
- Dealing with an estate as a trustee or executor if a Will claim is brought against the estate by another person
- Making a claim where the deceased died intestate
- Will invalidity – for example the Will was not signed properly or was otherwise defective
- Family Will disputes – in cases where people have been promised assets but have been left out of a Will; if there is proof, it can be possible to force the beneficiaries of the estate to honour the promises made. This is a complex area and sometimes involves negotiating both with other family members and HM Revenue & Customs



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Get in touch

For further information please get in touch with your usual Clarke Willmott contact. See our website for contact details.

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Offices

Birmingham Bristol Cardiff London Manchester Southampton Taunton

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