



myerson

Myerson **Personal**

Our guide to Contesting a Will

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Welcome

Although everything we do is ultimately about you, it is important you get to know the team that will be working with you every step of the way.

Our Contentious Trusts and Probate Team are the leading litigation experts in the North, and we don't say that lightly. If you choose to work with us, you will discover exceptionally talented lawyers who have a passion for making a genuine difference to our clients' lives.

Why Myerson?

Our specialist Contentious Trusts and Probate lawyers provide clear advice on disputes over Wills, trusts, and estates.

As a Top 200 UK Law Firm, we are proud to be ranked as '**Top Tier**' in the prestigious international directory **The Legal 500**, and commended by The Times '**Best Law Firms 2023**'. This means you can be certain that you will receive the highest quality legal advice.

Your team of solicitors will provide practical advice and, unlike some other firms, are able to draw on a wide range of specialist support and expertise from other solicitors across our firm, from Real Estate to Private Client and beyond.

Find out more about our [**Contentious Trusts and Probate Team**](#).



A Guide to Contesting a Will

Who can contest a Will?

Challenging a Will is not straightforward and can be complex. You may be able to contest a Will or bring a claim if you:

- were named as a beneficiary in a previous Will;
- are the spouse/civil partner, former spouse/civil partner, cohabitee, child, stepchild or someone who was financially dependent on the person who has died;
- were promised an inheritance; and/or
- were named in a draft Will that was never signed.

How to contest a Will

There are 2 common ways to contest a Will and we recommend that all clients act quickly, as some claims are subject to short time limits.

- **Contest the validity of the Will itself.**

If that claim succeeds, then the deceased person's estate will pass either in accordance with a previous Will or in accordance with the rules of intestacy. If you would like to understand how the intestacy rules affect your situation.

You might find the intestacy calculator helpful – click [here](#).

- **Bring a claim under the Inheritance (Provision for Family and Dependents) Act 1975.**



Grounds for contesting a Will

A Will can be contested on a number of grounds. The most common include:

- forgery;
- lack of testamentary capacity; and
- undue influence.

When to contest a Will

This depends on the nature of the claim, but in some cases, you may only have as little as six months from the date of the grant of probate to bring your claim.

We, therefore, recommend contacting us as soon as possible.

Can a Will be contested after probate?

Yes, but we recommend acting as quickly as possible, so not to be out of time.

Can Wills be contested on behalf of someone else?

You should only contest a Will on behalf of someone else if they are a minor (a child) or they are legitimately unable to do so themselves.



How much will it cost to contest a Will?

As with many legal matters, costs can vary from case to case. Your solicitor will discuss costs in detail with you before we undertake any work on your matter.

We promise that, from the outset, our costs will be clear and transparent, and we are proud to be able to offer you a range of funding options, including:

- “No Win, No Fee” agreements
- deferred payment
- fixed fees
- litigation loans
- third party funding
- legal expenses insurance
- “After The Event” insurance

Our team are on hand to talk through funding in detail with you, to ensure you are given all the available options.



You're in safe hands!

If you would like further information about how we can help you Contest a Will or have any questions, please don't hesitate to contact a member of our **Contentious Probate Team** today.

Call: 0161 941 4000

Click: myerson.co.uk

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