

Myerson Probate Litigation

Our guide to
contesting a Will

0161 941 4000
myerson.co.uk
lawyers@myerson.co.uk



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 in relation to disputes over Wills, trusts and estates.

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 2019**'. We are one of the only teams in the country dedicated solely to trust and inheritance disputes.



0161 941 4000
myerson.co.uk
lawyers@myerson.co.uk



myerson

How We Work.

Every case is different, and it can be difficult for our clients to know where to start.

Simple and effective. We will always have an initial conversation with you, without any obligation, to explain the process and get to know you and your situation.

We respect your emotions and feelings. Whether you are contesting a Will, making or defending a claim, or have an inheritance dispute, our team will ensure that the advice you receive respects your feelings at what is often a stressful time.

Trust. You're in safe hands. We help clients nationwide with complex cases, acting for beneficiaries, trustees and executors on a daily basis. You can rest assured that our expert team knows its stuff!



Your Solicitors



Helen Thompson

Partner

Head of Contentious Trusts & Probate

0161 941 4000

helen.thompson@myerson.co.uk

The solicitors that will be working with you are specialists.

All the solicitors in our team are full members of **ACTAPS** (the Association of Contentious Trust and Probate Specialists).

Your case will also be overseen and led by experienced Partner, Helen Thompson, who is a member of **STEP** (the global professional association for practitioners who specialise in inheritance and succession planning). Helen has also completed the Advanced Certificate in Trust Disputes.

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.

You can find out more about our Contentious Trusts and Probate team by clicking [here](#).



0161 941 4000
myerson.co.uk
lawyers@myerson.co.uk





Contesting a Will

Who can contest a Will?

Challenging a Will is not straight forward 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 Dependants) 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.





Don't just take our word for it...

"From our first telephone conversation, Myerson dispelled any doubts. With a warm and friendly approach, we agreed a package to suit my requirements and they handled my case with expertise and efficiency."

"Their response time and communication is excellent and I would have no hesitation in recommending Myerson in the future."

"The legal team have the rare ability to combine strong legal knowledge, procedural and strategic acumen but delivered with client care and overwhelming compassion in what are often difficult or testing circumstances."

"I would not have achieved closure with the deaths of my aunt and uncle without you all. That is worth more than any amount of money."

"Your professionalism, efficiency and pragmatism are admirable."

"I felt confident and secure with your handling of my case. You demonstrated a genuine connection with myself and my situation, showing empathy and understating. You have given me validation. Thank you so much."

To view more Myerson reviews visit our Review Solicitors page by [clicking here](#).

You're in safe hands!

If you would like further information about how we can help you to contest a Will, or if you are an executor and need help if someone else contests a Will, or if you have any questions, please don't hesitate to contact a member of our Contentious Trusts and Probate Team today.

Call: 0161 941 4000

Click: myerson.co.uk

Email: lawyers@myerson.co.uk



Because
life is rarely
black and
white.



myerson



Myerson Solicitors LLP

Grosvenor House, 20 Barrington Road, Altrincham WA14 1HB
Tel: 0161 941 4000 | Fax: 0161 941 4411 | DX19865 Altrincham
lawyers@myerson.co.uk | www.myerson.co.uk | [@myersonllp](https://twitter.com/myersonllp)