

# OSBORNES

— LAWYERS —

How Osbornes Lawyers can help  
with your Will and Estate Planning



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At Osbornes Lawyers we understand that thinking about your Will and estate can be difficult, and frankly, confronting. You may be in perfect health and contemplating the end of life is not necessarily on your mind.

But imagine the peace of mind and comfort knowing that your affairs are in order and your family and loved ones will not have to deal with complexity and confusion while they are also dealing with your loss.

At Osbornes Lawyers, we have a team that is very experienced and empathetic when it comes to drawing up Wills and managing estate planning.

There are many factors to consider, including:

- your age
- value of your estate
- complexity of any structures that hold your assets
- size and nature of your family relationships (including blended families)
- special needs of any beneficiaries or minors.

No matter the specifics of your particular situation, Osbornes Lawyers will listen, plan, and then act to ensure your wishes are reflected in relevant legal documentation.

And once the process is complete, you can enjoy your life knowing that there will be no confusion or loose ends when you die.

## Our process

With extensive experience in the area of drafting Wills and estate planning, Osbornes Lawyers has a robust process to ensure nothing is left to chance.

- We listen to you and take instructions about you, your family, and assets.
- We will include your trusted advisors such as accountants and/or financial planners in this discovery stage.
- We work to understand the full picture of your affairs.
- We address any concerns you have about the likelihood of claims being made on your estate, and suggest strategies to reduce that risk.
- We consider your family situation.
- We review your assets, including any business interests.
- We take care to understand your wishes.

Once we have the full picture of your affairs, we will work with you on estate planning, including the preparation of your Will.

Our process is designed to make it as easy and painless as possible to get your affairs in order and provide you with peace of mind.

## Our advice

We are experienced working with clients who have a range of needs, from those with very straightforward affairs, to those with a large asset pool and complex structures (especially where business ownership is involved).

Our personalised service includes advice on:

- Preparing and drafting wills
- Taxation
- Discretionary Trusts
- Testamentary Trusts
- Business succession
- Creating enduring powers of attorney
- Appointment of an enduring guardian
- Advanced care directives.

We know this can be a daunting and seemingly complicated process. At Osbornes Lawyers we strive to listen carefully to your needs and provide you with the best possible advice, delivered with empathy and care.



## Wills

Most people understand the concept of a Will. When it comes to planning for end of life, this is a standard document that should be prepared.

A Will takes effect when you die, and covers things such as:

- The distribution of your assets
- Establishment of trusts
- Charitable donations
- Funeral instructions.

Essentially, a Will is a document that details your final wishes.

We work with many different types of clients on the preparation of their Wills. Even if you think your affairs are straight-forward and you know exactly what you want included in your Will, we may still be able to offer valuable advice concerning aspects you hadn't considered.

It is important to keep your Will valid and up-to-date. It can change with your legal rights and status, and things you need to consider include:

- If you marry, divorce or separate
- If you have children and grandchildren
- If your spouse or beneficiaries die
- If there is a significant change in your financial circumstances.

The NSW Trustee & Guardian estimates that nearly half of Australians die without a Will, or 'intestate'. At Osbornes Lawyers we make sure this doesn't happen to you.

## Estate planning

Most people understand the concept of a Will, but there are broader considerations around estate planning that the experienced team at Osbornes Lawyers can help you with.

For example, if there is a 'binding nomination' in your superannuation or insurance policies, the beneficiaries identified within those nominations override those stated in your Will.

And if you have a Family Trust, the Trust continues after your passing and its assets will be distributed according to the Trust deed, no matter what is written in your Will.

You may also want to consider Testamentary Trusts, powers of attorney, power of guardianship and anticipatory direction.

We work hard to simplify what can be a daunting amount of information as well as a myriad of legal options.

Creating an estate plan, rather than just a Will, is a prudent decision and provides you with certainty and security.

Our estate planning includes a comprehensive review of your overall situation and affairs, ensuring your final wishes are met.

## Estate administration

Osbornes Lawyers can help you with estate administration, which is the process of finalising the affairs of a deceased person, even if there is no Will.

We know this is a stressful and emotional time for loved ones, and we are very sensitive in guiding you through what may be an unfamiliar process, with the goal of making sure the estate is administered promptly and efficiently.

Our services include:

- Locating and interpreting the Will (if there is one)
- Advising the process for 'intestacy' (if there is no Will)
- Advising executors and trustees of their duties and responsibilities
- Identifying the assets and liabilities
- Preparing the application for probate if there is a valid Will
- Tax considerations for both the deceased (up to their death) and the estate
- Dealing with assets under the instructions of the Will (such as closing bank accounts, selling real estate and paying liabilities)
- Distribution to beneficiaries in accordance with the Will
- Dealing with potential conflicts and disputes.

Osbornes Lawyers take care during the process of estate administration to action the wishes of the deceased and to assist loved ones and beneficiaries with the utmost professionalism and empathy.



## We're here for you

We know this is a difficult and potentially distressing subject to address. We work hard to provide a safe and comfortable environment for you to discuss your needs with us, make your wishes known, and then create the necessary documentation to meet your wishes.

We understand that you value discretion and privacy in these intensely personal matters and our team will provide the perfect mix of professionalism and empathy to make the process as easy as possible.

Our experience and approach make planning for the end of life a comforting experience for you and your loved ones. You can rest assured that your wishes will be met, enjoying peace of mind while you get on with your life.

## About Osbornes Lawyers

Osbornes Lawyers is a boutique law firm that specialises in property and commercial law for businesses and individuals.

Our team of senior lawyers has decades of experience in commercial law including property, leasing, construction, strata and litigation.

We also assist individuals with property transactions (sales and purchase) as well as advice and document preparation for wills and estate planning.

Osbornes Lawyers is a small team of experts who are committed to providing professional advice across a wide range of complex legal issues.

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