



## **EFFECT OF DIVORCE ON WILLS**

Approximately 20% of all human beings who have ever lived past the age of 65 are presently alive (US National Institute of Ageing). This is a dramatic demographic revolution which is already having an impact on almost every aspect of society.

Not only are we living longer, but we and our parents are the wealthiest generation ever.

The media constantly remind us that over a of first marriages end in divorce (and ½ of second and later marriages), and that an increasing proportion of the population are marrying later.

Marriage and divorce signal not only the beginning and end of married life, but the duration of the effectiveness of your Will.

Marriage is the only life event which the law recognises as completely cancelling your Will.

However while divorce does not cancel your Will entirely, it cancels any provisions concerning your former spouse (to ensure that your former spouse will not benefit from your Will if you die after your divorce, but before you make a new Will.)

[But it must be borne in mind that this is from the date of divorce, not separation. Separation does not affect your will, and if you no longer wish your estranged spouse to receive your worldly goods on your untimely demise, you must change your will, and should consider altering the basis on which you hold jointly owned property (e.g. from joint tenant to tenant in common).]

You should consider updating your Will immediately if you are separated or involved in divorce proceedings.

We suggest you contact us to discuss your options.