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Volume 16 - March 2008

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The Shadow AG and me

Here is a one minute video of the Shadow Attorney-General and Paul Brennan at the launch of the 10 Greatest Legal Mistakes in Business...and how to avoid them.

<http://www.youtube.com/watch?v=y3yOtzY5XiY>



Reading of the will

Paul Brennan

Once you have attended to your Will and the funeral arrangements, you may wonder if there should be a Reading of the Will.

A must for any 19th Century TV drama but , as the nuclear family has taken hold and the main asset being the house was left with boring



regularity to the spouse and then to the children, "estate planning" was such a dull affair that Will Reading lost its popularity. However, now that people have so much more money and even more diverse families, the Will Reading is making a comeback. Although a surprise announcement of a Will Reading may add excitement to what would otherwise be a very ordinary funeral. It is best to give your family advance notice during your lifetime. It gives them something to look forward to by placing your funeral into the "Event Category". You can expect a better turnout at your funeral as

relatives generally consider it bad form to go to the Will Reading and miss the funeral.

The content of the Will is important to make the Reading a success. If you have a second family and have been wondering when to tell your children, this is an excellent opportunity. If not, then your lawyer will have plenty of suggestions, such as:

- Leave \$10,000 to a member of the opposite sex, offering no explanation.
- Leave one of your children money on trust with the other children as trustees.
- Leave everything to your children's step mother.

For a good reading choose your lawyer wisely. You are looking more for Boris Karloff than Mel Gibson. A laboured, slightly asthmatic reading (the hay fever season helps) adds to the atmosphere. A lady lawyer can be a very good choice. However I find that some offer a "Cruella De Vil" look that seems more Walt Disney than Hammer Horror.

With the right content and lawyer, a Will Reading can add to the success of your demise.

An extract from the "Legal Guide to the Dying".

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What to tell the children

Paul Brennan

I am often asked if you should reveal the content of your will to your adult children. In a perfect world my answer would be absolutely not. This will allow you to change your will for petty reasons e.g. that they did not ask you to lunch, without upsetting them or appearing senile. If the reason for changing your will is a good one, then they can be informed after the will has been changed and they have lost out. The more money that they think you have the more satisfying this can be. You can always change it back later.



However, as clients get older and their fortunes greater, they come under increasing pressure from their adult children to reveal "Who to?" and "How much?". Trying to reason with an adult child that their "utterly useless" sibling is more deserving is not accepted as a valid reason for the loss or reduction of their rightful inheritance. Where a step mother or step child is involved such explanations will fall on deaf ears.

If you tell each of your adult children that they shall receive their full share whether or not that is true, you may later come under pressure to produce the will.

The solution is for your lawyer to produce several wills in different terms. The appropriate will can be left around the house on a visit by an adult child. A little bit like changing the photographs on display. To stop your children conferring each must say that everything is left to that particular child.

As a will provides that any previous will is invalid, it is just a matter of having the will that you really want to be dated later than the bogus wills and kept safely at your lawyer's office.

In these circumstances, a child that has lost out may challenge your will on the grounds of your insanity. However, most judges will accept that

you were driven to distraction by your children. Not an uncommon occurrence.

An extract from the "Legal Guide to the Dying". This ultimate legal advice is being written on Paul Brennan's Law & Disorder Blog. An eBook will be released shortly.

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Event

"If lawyers are a little unpopular (which is not quite admitted).

What can they do about it?"

Despite efforts of the legal profession worldwide, "lawyer jokes" abound, is the criticism justified?

- Why should lawyers be unpopular?
- What is the future of lawyers and law firms?
- What could clients really want?
- Should lawyers give it to them?

Paul will be speaking at the UQ Law Graduates Association breakfast on Wednesday 5 March 2008 at 7.30am at The Art Gallery at Customs House, Brisbane.

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