

# Norton Peskett

## Solicitors

148 LONDON ROAD NORTH LOWESTOFT SUFFOLK NR32 1HF

Telephone: 01502 533000 Fax: 01502 533001

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*Please note that this is a general guide and not to be relied upon when taking any personal or business decisions and that it is not a substitute for legal advice tailored to the reader's circumstances.*

## Letter of Wishes

These have a variety of uses and reasons such as funeral wishes.

Spouses may know what each wants – but not necessarily. Too often, people have not discussed the practicalities and in reality there is only one chance to “get it right”.

Many of us have favourite hymns, music, readings and indeed many have views about flowers, disposal of ashes or indeed cremation/burial.

A hand written letter signed, sealed and kept with the Will provides guidance to those who have just lost a dear relative and have, as executor or next of kin, the job of organising the funeral, often at short notice.

### Disposal of personal effects

Everyone has “heirlooms”, not necessarily of great value but of personal or family significance. A letter can arrange the distribution of these without argument i.e. who gets what, e.g. an engagement/wedding ring. A rule of law provides that if there are two beneficiaries of equal standing (son and daughter) who want the same item, the executor cannot choose between the two and the item has to go to auction. Again, a letter is personal and hopefully avoids acrimony between the family.

Mementos can be distributed to grandchildren and godchildren a bible or a piece of jewellery or favourite item.

### General provisions

A letter, in addition to any provision in the Will, can also provide useful guidance to executors and a statement to beneficiaries as to the Will maker's wishes in certain circumstances, e.g. as to the disposal of particular assets to individuals and thus gives authority to the executors to avoid potentially hurtful and costly disputes.

A letter is there as guidance from the person making the Will – it should be adhered to and if questioned there should be substantive reasons given why the wishes are not to be carried out. Such letters can of course be changed from time to time and added to and can be a great help at a difficult time.