



Risk and Negligence in Wills, Estates, and Trusts

Martyn Frost, Penelope Reed QC, Mark Baxter

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Risk and Negligence in Wills, Estates, and Trusts provides essential guidance for all will draftsmen. It offers in-depth analysis of negligence and wills, together with commentary on safe practice and the avoidance of risk. Together the areas covered provide a framework for the safe practice that is now essential in this much disputed area of work.

This updated edition examines the new developments in will preparation and what is needed for safe practice as well as the important cases since the last edition. This work contains indispensable practical guidance, tailored to meet the demands of all those involved in wills, trusts, and estates and disputes relating to them. Practical advice in establishing best practice to avoid disputes is given and the appendices include practical forms and checklists to assist this. In addition there is analysis of the allied subjects of estate and trust administration and commonly encountered problem areas. A section also concentrates on duties in relation to taxation aspects of this work.

Negligence and private client work is a fast developing area of modern law. The recent financial crisis has helped to focus attention closely on what risk is and how it should be managed. This has not merely been in the financial sector but in all areas of business. The legal profession has seen some major financial failures and an operating climate that is increasingly difficult. The rise in PI claims, the insurers' restrictions on cover, and the increased cost of cover have led to an increased focus on professional ability and risk management. Therefore, knowledge of the risks, what constitutes safe practice, and how to manage risk, are essential for anyone practising in this area.

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