

What different types of cases do you do?

There are lots of different types of cases, but they fall under different headings.

Cara interview main insights

1. Where you are disputing the Will - the document itself with not being valid.

There are various different ways you can do that.

2. The will is completely fine but the person who might be able to inherit, doesn't.

So they might be able to bring a claim to try and get an inheritance, or a greater share.

3. Administrative issues - a Will writer did something wrong that needs rectifying.

The Will itself is valid, but it just doesn't make sense

4. Executors aren't doing it properly or have done something wrong.

Or the Trustees or the Executors fall out

5. Trustess aren't doing it properly or have done something wrong.

Or the beneficiaries and the Executors or Trustees fall out.

In terms of frequency, is there types of case that occur more often than others?

Trying to establish a hierarchy of the content - most frequently relevant and required content needs to go at the top.

In terms of the industry as a whole, types of case become more frequently occurring because of social circumstances.

With the recession we might expect there to be more claims by children, because they need their inheritance to live - its what they planned as being their future. So more people are out there to make those claims.

Or something might happen in the news, and they think 'we could do that too?'

So there are those waves that change things.

But most of the time it depends on whose written the will, who has done a good job.

Two general types of circumstance.

At what point would a referrer contact IDR for support, or to refer a client?

1.

1. They are a will writer and someone has got in touch and said 'tell us about that will, we are not happy about it...'

If their sole role is to write Wills and they don't do anything else, they are suddenly panicked because they think someone might sue me because of my will.

So that letter comes in and they will contact us

2.

2. Then there are the people who are executors, or acting for executors & administrators/trustees, going about their duties when they have notice that somebody is not happy.

And depending on the referrer, and how well they are educated, or we educate them in the best time to hand these matters over, ideally as soon as that letter comes in they would contact us and say 'we have got a bit of a problem'

Do we need to do anything about it right now?

My experience across the entire industry, is that there IS an education need.

Quite a lot of people think they can fix things.

We might find it comes across to us much later

How can we make those 'fixers' think to log in to the IDR-N before applying their own fix?

The earlier the better!

Is it right that the IDR-N sits in that middle ground, to help subscribers make a decision on whether to get in touch and refer?

I think the IDR-N is a publicity tool.

Its to show everyone 'look how much we know'

And its to give them an idea, that if a letter comes in...

The 1975 Act factsheets are probably the best example of this.

If someone is dealing with an estate, and there is a child that hasn't inherited, and they write to the executors and said 'we are going to claim'

Something needs to happen and there could ordinarily be a pause, between what advice is that person going to give to the executor or the other beneficiaries.

Do they give advice, and do they actually know who to contact?

So the IDR-N has factsheets and information that they can download and send to the beneficiaries, and say... 'this company knows what they are talking about'

They could probably help you, we can't...

But this should give you an overview of what is about to happen.

So that is how I viewed its use.

We've had a few where they get in touch, ask for a bit of advice, we give them a bit of advice, and they go away and it never comes back because its been resolved.

How can the IDR-N support this process?

Might there be people who are at the tipping point, but would rather log in than call up?

And might this help reduce the amount of people who leave it too late?

Unsure about whether calling up is necessary, so they have a quick look at the IDR-N, and are encouraged to make a call?

When do you envisage that subscribers would be using the IDR-N?

Hopefully at any point.

If we can get people to subscribe to the IDR-N before they need us...

It gives them a load of information about how they can manage risk.

Reduce the likelihood of there being claims.

To manage it if there is a claim.

So its not passed to us too late.

Information that tells Trustees how they should be acting, what their duties and obligations are.

Its not saying this is a dispute and this is what you need to do, its saying 'this is your role, this is what you need to be considering as part of that role.

I am doing a webinar on best practices.

'If you're a Will writer, this is the best thing to try to do to avoid a claim'.

Or to have the best way of dealing with it if there is a claim.

Its that pre-emptive stuff, before a dispute arose, hopefully stops a dispute.

Expand on
the
purpose of
the IDR-N

It's to help
them do
their Will
better.

Or if a dispute does
come in, its to give
an overview of what
they or their client
may be
experiencing.

So they then
know that we
know what we are
doing, so they can
come to us and
ask for our help.

And it might
spell out the
steps if they
do refer?

Yes. The factsheets
all have a step-by-
step guide, or lots of
terms that people
won't know about.

They might not need
us, they might just
need to know what
that term meant, so
it answers that
question for them.

We would be very cautious as a company to look like we are trying to train people on how to deal with it.

That's quite risky from our point of view because if they assume we have given them the right advice without knowing all the information.

Have to decide carefully how much advice is appropriate on the IDR-N to help them make a decision.

Set the threshold very low at contacting IDR for more detailed advice.

And this may well result in more people getting in touch for advice.

The heading as they are don't currently fit how we've expanded.

In my view, it would be better to have something like 'Trustees' as a heading.

And Trustee disputes, within that.

So you know if you are a Trustee, you click on that.

And it takes you to all the information you need for that, with sub-headings for Trustees.