**Leicester De Montfort Law School**

**Legal Practice Course**

**Wills and Administration of Estates**

**Small Group Session 1: Intestacy**

**Intestacy flowchart questions and answers**

Mrs. Morel was a widow, and had three children, Paul, William and Annie, all of whom survived her. Annie is a widow, with one daughter. Paul is unmarried and childless. William is married with two children.

This is the last will and testament of me, Gertrude Morel of 6, Field Street, Bestwood, Nottinghamshire, made this ninth day of June 2006.

1. I revoke all other testamentary dispositions made by me.
2. I appoint my son Paul Morel of 6, Field Street as my sole executor.
3. I give the sum of one thousand pounds to my daughter Annie Besant.
4. I give the sum of five thousand pounds to my son William Morel.
5. I give my house 6, Field Street aforesaid to my son the said Paul Morel.

Signed by the testatrix

in our presence and then Gertrude Morel

by us in hers

*Enid Pearce*

*17 Swallow Drive, Bestwood, Notts*

*Dennis Williams*

*72 Swift Close, Bestwood*

After her death, Paul discovered that his mother left £66,000 worth of savings, in addition to the house.

**Question 1**

**Is there a partial intestacy?**

* Yes
* No

**Question 2**

**A partial intestacy can be avoided by including a residue clause in the will.**

* True
* False

**Question 3**

**Who is Mrs Morel survived by?**

* A spouse and issue
* Issue
* A spouse and no issue

**Question 4**

**Mrs Morel’s estate will be distributed equally between her children. Is this statement correct or incorrect?**

* Incorrect
* Correct

**Question 5**

**Paul died the following year, and his sister Annie died two months after Paul. They had each left the residue of their estate to Annie’s daughter Clara.**

**Clara died in an accident three years ago, but neither Paul nor Annie changed their wills. Clara was survived by her husband and her children, Ryan and Louise.**

**Who will inherit the residue of Paul’s estate?**

**Question 6**

**Who will inherit the residue of Annie’s estate?**

* Clara
* Clara's husband
* Ryan and Louise
* Ryan

**Question 7**

**Why do Ryan and Louise inherit Annie’s residuary estate?**

* Because of s33 Wills Act 1837
* Because of s3 Estates of Deceased Persons (Forfeiture Rule and Law of Succession) Act 2011