

# Prenuptial Agreement



THE LEGAL STUFF

# Legal Considerations

**If you are reading this magazine then you must be thinking about getting married, so congratulations!**

You will have thought about the venue, the flowers and the photographs but have you thought about your long term legal needs? Here are some things you should be thinking about;

## Home Ownership

If you are coming to the marriage or Civil Partnership with a property that is in one person's name only you should consider whether this is to be transferred into your joint names. You can decide whether the ownership of any property should be held so that the survivor of you automatically inherits it. However, if you have children from a previous relationship you may wish to specify a percentage ownership instead, that way you can leave part of the property to your children.

## Pre- Nuptial Agreements

It's not only the rich and famous who are using these. If you or your partner are bringing assets to the marriage then you may wish to protect those assets by entering into a pre-nuptial agreement. At Emmersons Solicitors we are often asked to draw up such agreements for couples who have property or investments from a previous relationship. They wish to make sure their children can still inherit after the marriage has taken place.

## Marriage and Wills

Many people are not aware that when they marry most wills that were previously made will be revoked. Intestacy Rules would then apply and so your spouse /civil partner would automatically inherit the first £250,000 of your estate. But what if you have children from a previous relationship? You can also make a will now in contemplation of your marriage which will be valid following the big event.

## Lasting Power of Attorney

This is a legal document that allows you to appoint someone that you trust as your Attorney in the event that you are unable to manage your affairs. You can decide in advance which decisions they can make on your behalf. You can appoint more than one attorney. This could be your spouse /civil partner and your adult child or children. ♥

*The above are just a snap shot of issues that you will need to consider at the time of your marriage and throughout you married life. If you need further advice contact us on [www.emmersons-solicitors.co.uk](http://www.emmersons-solicitors.co.uk). Tel: Sunderland 0191 567 6667, Newcastle 0191 2846989.*

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