



**CORNEY
& LIND**
LAWYERS

BRISBANE • GOLD COAST

BRISBANE

PO BOX 236,
RBH POST OFFICE 4029
PHONE: (07) 3252 0011
FAX: (07) 3257 7890
Suite 43, Level 4,
Royal Brisbane Place
17 Bowen Bridge Rd, HERSTON

GOLD COAST

PO BOX 825, OXFENFORD 4210
PHONE: (07) 5561 7070
FAX: (07) 5529 8111
2A Wimbledon Way, OXFENFORD

email: admin@corneyandlind.com.au
web: www.corneyandlind.com.au
ABN 19 986 469 033



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Wills & Blended Families

Will making for the parents of blended families require special consideration.

Here are some matters to consider:

- Each Will maker must make **adequate provision for their own children** directly or their estate will be open to a claim from those children.
- Each Will maker must make **adequate provision for their step children** particularly those who have lived in a domestic or dependant relationship with them. This is often achieved via a gift first to the step child's natural parent.
- **Guardianship appointment** may be subjected to contrary orders from the Family Court. In any event, it is particularly important that your Guardians, whoever they are have a written statement of the Desires for the Upbringing of your children. See our [Desires for My Children LawPack](#).
- Creative thought is often required with the **principal place of residence**. If one partner dies, they would generally not want the surviving partner to have to sell the home to gift funds to children and step children. A gift of this asset to the surviving partner or a right to reside for the surviving partner should be considered. Further legal advice will be warranted on this.
- Careful attention should be paid to the nominated beneficiaries of **life insurance policies and superannuation** proceeds and whether these nominations should be binding or non-binding on the trustees of those funds.

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- An **Enduring Power of Attorney** to provide clear authority for decision making to your partner, should you be incapable of decision making, is also essential. See our [Enduring Power of Attorney LawPacks](#).

The [Will LawPack](#) (Business Use) from www.onlinelegal.com.au will provide you with the flexibility you need to achieve these outcomes.

Should you wish to discuss any of the above in more detail or require assistance in determining how these changes may affect you, please do not hesitate to contact us.

If you would like to be removed from our mailing list, just ask us.

Specific Advice

This publication contains general information only. It should not be taken as advice, as there will be specific issues to be taken into account in relation to your situation. Just ask us.

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