



# Law and Justice in your Community

NATIONAL LAW WEEK 12-18 May, 2014

AW1381269

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Liston Legal has been providing legal advice, court representation, conveyancing and property services and legal assistance in wills and estate matters throughout the New England community since the 1930's.

We offer clients the services of a skilled and experienced property, wills and estates and commercial lawyer and advice and court representation by a former barrister and senior counsel.

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Our clients come from Glen Innes, Armidale, Inverell, Tenterfield, Guyra and elsewhere in the New England region.

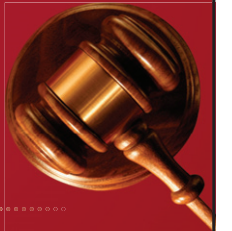
The firm provides timely and comprehensive advice and experienced representation in court and tribunal proceedings.

The firm believes in providing efficient service and quick practical solutions to all your legal problems.

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Chris Leahy & Bill Liston



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## Providing a complete range of legal services throughout the New England Region.

- All court matters
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### Succession/Estate Planning

Planning for the transfer of assets from one generation to the next must be a matter for consideration for anyone who owns property. Just as variable as the nature and manner of ownership of assets can be between individuals or families, so too can the degree of complexity (and difficulty) be in establishing a successful Succession or Estate Plan. The important thing is that we all need to give the issue of Succession or Estate Planning our due consideration and timely attention. This may involve a simple set of documents (comprising a Will and Power of Attorney) in simple estates to complex and voluminous documents on more complex estates, but will always require good legal, accountancy and taxation advice and may require financial and relationship counselling.

At its simplest Succession/Estate Planning involves a Will. This may be the singularly most important document you will prepare in your lifetime for it is by Will that you have the opportunity of appointing a person or persons to be your legal representative(s) (Executors) and to gift or divest your Estate of your assets after your death.

Consideration should be given to the creation of a Power of Attorney whereby you appoint one or more trusted persons to be your representative(s) during your lifetime to manage your financial affairs and assets (referred to as your inter vivos estate) where you are either physically or mentally incapable (or perhaps both) of doing so yourself.

More complex Estate/Succession Planning may involve dealing with or creating/incorporating trusts and companies and establishing superannuation funds with consequential transfer of assets to those entities.

In addition consideration may need to be given to entering into Testamentary Contracts or Deeds of Family Arrangement. A Succession Plan may involve the intergenerational transfer of assets, the execution of a Death Benefit Nomination and always the execution of a current Will.

Added to the documentation that might be prepared in relation to any Succession/Estate Plan will be the professional consideration of actual or potential current or future effects of taxation, stamp duty, and aged care accommodation, entitlements to aged pensions and issues such as family provisions, notional estate, foregone wages contributions and refinancing.

While it may seem daunting to deal with some or all of these issues, to fail to implement a Succession/Estate Plan – whether simple or complex – may simply prove the adage *“to fail to plan is to plan a fail”*.

In considering whether you simply need to update your Will or to embark upon a more complex plan you should seek legal and accounting advice before doing so from your professional advisors.

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## THE ROLE OF LAW IN SOCIETIES SUCH AS GLEN INNES

Ian Mac Donald Principal of the Law Firm Mac Donald and Mac Donald Solicitors identifies the part Law plays in society as follows:

- 1 To set the parameters of a code of living whereby members of a community can co-exist in peace,
- 2 To reflect the current concerns of the majority whereby perceived wrongs can be addressed in an appropriate forum .
- 3 To exact appropriate punishment through government instrumentalities so that community standards are respected and observed.
- 4 To reflect the will of the elected governments to exact revenue and impose regulation so that government can be funded and lead a community be it a local area, a state or the complete federation.

Lawyers in their various roles be it in private practice, as in house lawyers or counsel to corporations and businesses, as staff members of government instrumentalities carry out representation of their client or employer. To ensure good representation clients and employers must properly instruct their lawyer and furnish accurate, complete and truthful data to them. Our firm is particularly engaged in representing the interests of our clients in conveyancing, commercial and property matters, family law parenting orders, property settlement and divorce proceedings, probate and Family Provision Act matters. In the preparation of wills, documents relating to debt recovery or the recovery of debt, preparation of leases etc the interests of the client are integral to the advice rendered by the lawyer and so it is with our firm.

### Family Law

### Wills & Probate

### Family Provision Act Claims

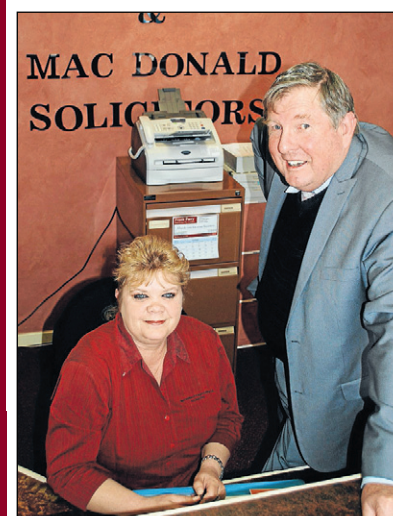
### Conveyancing (NSW & Qld)

### Property & Commercial Law

### Civil & Criminal Litigation

### All Court Matters

### “Solicitors with solutions”



As an established and highly professional firm of lawyers, MacDonald & MacDonald Solicitors have a growing reputation for being innovative, approachable, understanding, friendly and efficient.

This focus is particularly important for people with traumatic legal problems.

We are available Monday to Friday, and Saturday morning by appointment.

For client-focused service contact Ian and Tracey.

**MacDonald & MacDonald**  
SOLICITORS  
Glen Innes

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