

Some Common Terms for Wills and Estates

Beneficiary - A person entitled to money or property under a will, trust, or insurance policy.

Claimant - A person who makes a claim or asserts a right.

**Enduring power of attorney (EPA)
(financial matters and/or personal matters) -**

The power to look after financial and legal affairs for a person and the power to make personal and lifestyle choices for a person.

Advanced care directive -

A legal document that may contain 'instructional directives' - legally binding instructions relating to the consent or refusal of treatment and/or 'values directives' - non-binding statements about your values and feelings in relation to medical treatment.

Appointment of medical treatment decision maker (AOMTDM) -

A medical treatment decision maker will have the authority to make medical treatment decisions they reasonably believe you would have made had you had capacity.

Supportive attorney appointments -

Supportive attorney appointments are about upholding the independence and self-respect of a person who is able to make decisions provided they are supported.

Executor - A person named in a will or appointed by a court to carry out the instructions contained in a will.

Fiduciary - Relating to the relationship between a trustee and the person or body for whom the trustee acts.

Intestate - When a person has died without making a legally valid will.

Letters of administration - An official court order appointing an administrator of a deceased person's estate when no valid will exists

Probate - The process of proving that a will can be accepted as legally correct.

Testator - A person with a valid will.

Testamentary - Stated in or relating to a will.

Testamentary trust - A trust that is created in a will and exists only after a person dies.

Trustee - A person who is given the legal authority to manage money or property on behalf of somebody else.

Will - A document detailing a person's wishes regarding who is entitled to their assets after they die.

Contact us at:

Melbourne Office
Phone: **03 9629 7411**
[Google Map Link](#)

Level 18
461 Bourke Street
Melbourne 3000

Fax: 03 9629 7422
DX: 31331 Mid-town
PO Box 16067
Collins Street West 8007

Mt Waverley Office
Phone: **03 9550 4600**
[Google Map Link](#)

Central 1, Level 2, Suite 17
1 Ricketts Road
Mt Waverley 3149

Fax: 03 9544 8711
DX: 32002 Mt Waverley
PO Box 2165
Mt Waverley 3149

enquiries@hocw.com.au
www.hocw.com.au

Liability limited by a scheme
approved under Professional
Standards Legislation

Legal services include:

- Commercial Law;
- Commercial Litigation;
- Commercial Tenancy Law;
- Family Law;
- Wills & Estates;
- Property & Conveyancing

