

Can I contest a Will?

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Conflict also occurs when people think a will isn't valid because the person lacked mental capacity, or were unduly influenced to make changes before their death. And sometimes people record what they want to happen to their assets but it's not a valid will that meets the legal requirements.

When assets are divided unequally, emotions can run high. That's why New Zealand

law provides opportunities for certain people to contest a will if they feel they've been unfairly treated.

Partners or spouses who feel hard done by can choose to bring a relationship property claim and a claim for provision from the estate. Biological children and grandchildren can legally contest a parent's or grandparent's will if they have a "justifiable sense of exclusion". Step-children and step-parents, however, have more limited rights. Each case is very fact-specific. Even if the deceased signed declarations explaining their decisions, their will can still be legally challenged.

Given the complexities involved (especially in blended families), it's essential to seek proper legal advice. CLM's experienced Family Law team can look at the specifics of your situation and guide you through the process. We understand that contesting a will is often an emotional journey, and we approach every case with empathy, patience and sensitivity to the family dynamics involved. Our team of six specialist family lawyers, with over 90 years of combined experience, knows how to navigate this complex legal terrain.

We prioritise clear communication and help clients understand all options before making decisions. At CLM, we'll give you the facts in a way that's compassionate and practical, guiding you through the legal process while respecting the emotional toll such disputes can take.

Every family and circumstance is different, and we tailor our advice accordingly – whether you respond best to verbal guidance, detailed written information, or even spreadsheets and numbers. We pride ourselves on being quick and responsive, and will keep you informed at every step so you're never left in the dark.

Making wills that will stand up to scrutiny is another specialised legal area that requires technical expertise. Our Family Law team are here to help people at different stages of their lives make provisions they are comfortable with. A will should be regularly reviewed as you age and your circumstances change.

If you're considering contesting a will, or need guidance on your rights, talk to CLM's Family Law team. We combine legal expertise with empathy and practical support, helping you navigate a challenging time with clarity and confidence.