

Letter of Wishes

A letter of wishes is a guiding document that can be drafted to accompany your will. It can be used to provide clarity and instruction to the trustees/executors and/or family overseeing the trust after your death.

It sets out your views on how you would like your assets to be dealt with, and while there is an element of discretion to your trustees and /or executors in making decisions, it is helpful to make your intentions clear.

Although the letter is not legally binding it can be used as a guidance.

A letter of wishes should be regularly updated to take into consideration changes in circumstances. It does not need to be in a specific format or wording so it does not need to be drawn up by a solicitor.

The letter of wishes should explain:

- The reason for setting up the trust.
- Guidance on how the trust fund should be used to help or protect your relative with a learning disability.
- How the remaining trust fund should be distributed after your relative's death, for example to other family members or charities etc.

We would recommend notifying the trustees and/or executors where your letter of wishes is kept.

Resources:

[Mencap's guide to writing your letter of wishes](#)

Special Needs Jungle: [When making a will is not enough](#)