

Do I need a will? (decision tree)

England & Wales · Decision tree · Reviewed June 2026

Answer each question and follow the arrows. Most people reach the same conclusion — a will is the only way to control what happens to your estate, your children and your partner.

Work through the tree

Step 1. Do you have an unmarried partner you would want to inherit from you?

- Yes → Yes — you need a will. Unmarried partners inherit nothing under the intestacy rules. Only a will (or joint ownership) can provide for them.
- No → go to step 2

Step 2. Do you have children under 18?

- Yes → Yes — you need a will. A will lets you appoint guardians and put their inheritance in trust rather than handing it over at 18.
- No → go to step 3

Step 3. Do you want to choose who inherits — e.g. specific gifts, friends, charity, or a blended family arrangement?

- Yes → Yes — you need a will. Intestacy follows a fixed order and ignores your personal wishes. A will gives you control.
- No → go to step 4

Step 4. Are you genuinely content for the intestacy rules to decide everything?

- No → You need a will. If the default rules don't match your wishes, a will is the only way to change the outcome.
- Yes → A will is optional — but still wise. Even then, a will speeds up administration, lets you choose executors, and avoids surprises. Most people in this position still make one.

Possible outcomes at a glance

- You need a will if you have an unmarried partner, children under 18, or any specific wishes about who inherits.
- A will is strongly recommended for almost everyone else, to choose executors and speed up administration.
- Without a will, the intestacy rules decide — and they exclude unmarried partners and unadopted stepchildren entirely.

Sources

- Administration of Estates Act 1925 (intestacy) — legislation.gov.uk
- Children Act 1989 (guardianship) — legislation.gov.uk
- GOV.UK — Make a will