



THE ASSOCIATION OF
**LIFETIME
LAWYERS**

NATIONAL CONFERENCE 2024

Case Study

It's A Family Affair

This year's conference takes the form of a day long case study. Ricky and Stephanie's blended family face some challenges in this gripping Lifetime Lawyers tale. Listen to how our five expert speakers untangle the various issues for their immediate family and beyond.

Our case study chronology

1982	Ricky is born.
2001	Ricky starts his medical degree at university in Norwich and meets Lucy in the second year.
2004	Ricky and Lucy move in together when Lucy finishes her law degree.
2006	Lucy finds out she's pregnant and they get married when Ricky finishes university. Lucy dies in childbirth.
2009	Max is diagnosed as being on the autistic spectrum.
2015	Ricky meets Steve (they/them) who identifies as non-binary and they move in together a few months later. Steve's lost contact with his parents Valerie and John, though he's still in occasional contact with his sister, Rebecca but hasn't met her children.
2018	Steve comes out as transgender, begins the process of transitioning socially, and starts to use the name Stephanie, changing their name using a Change of Name Deed.
2019	Tom is diagnosed with skin cancer, but it is caught quickly, the treatment is effective, and he goes into remission.
2020	Max starts a YouTube channel, Ricky helps him monetise the channel and the money is paid into his Child Trust Fund. Ricky and Stephanie decide they want to start a family and approach a surrogacy agency.
2022	The first round of IVF with their surrogate using embryos created with sperm from each of Ricky and Stephanie is unsuccessful.
2023	The second round of IVF is successful, and their surrogate is due to give birth in July 2024. Valerie is rushed into hospital with heart failure and dies leaving a Will including some provision for grandchildren. Max turns 17, starts learning to drive and wants to use some of his YouTube money to buy a car.
2024	Barbara is diagnosed with dementia. Tom's cancer has returned, and it is terminal. His prognosis is 1-2 years.

To make things more fun, please read the full case study in advance of the conference and jot down how you would approach this scenario and your key considerations. You can then compare your notes with the experts.

Richard Goode (known as Ricky) was born in October 1982, the only son of Tom and Barbara who married in 1980. Ricky grew up in a modest but happy home in East London. Tom was a police sergeant and Barbara was a nurse. They were both hard workers.

Ricky left home to attend university in Norwich in 2001 to study medicine and met Lucy at the start of his second year of university in 2002 when she was in the second year of her law degree. Ricky and Lucy were inseparable throughout university. Lucy finished university in 2004 and they set up home together. Lucy studied part time for her LPC whilst working to help support Ricky whilst he continued his five-year medical course. Lucy became pregnant in early 2006 and got them married after Ricky graduated from medical school later that year. It was a difficult pregnancy for Lucy, and she sadly died in childbirth leaving Ricky as widower and single parent to their son, Max.

After Lucy's death, Ricky moved closer to his parents and his mother gave up work so she could help Ricky raise Max whilst he completed his post-graduation training, before beginning specialist training to become a GP.

Ricky started noticing that Max's behaviour was different to the other kids at his nursery school. When playing with cars, it was amongst the other children rather than with them, and he was very organised in how he was playing with them, ordering them by size or colour. Whilst his language skills were good, Max was very particular in the way he constructed sentences and didn't use contractions like can't. Around his 3rd birthday Ricky took Max to see one of his colleagues who referred him to behavioural specialist. After a couple of sessions with the specialist, Max was identified as being on the autistic spectrum.

Ricky was a devoted father and between his medical training and caring for his young son, it was a few years until he felt ready to date again.

Ricky is pansexual and dated people of various genders before starting a relationship with Lucy. In 2015, when Ricky was 33, he met Steve, 47, at a club, and they began a relationship which developed quickly; Steve moved in with Ricky a few months later. When they met, Steve identified as non-binary and used the pronouns they/them. Steve's parents, John and Valerie (who were in their late 60s when Ricky and Steve met) have never been supportive of Steve's identity, and they've had no contact for several years, despite attempts on Steve's part to maintain contact; Steve has a sister Rebecca with whom he has maintained some contact, though not regular, and he's not met Rebecca's children.

In 2018, Steve begins to use the name Stephanie, comes out as transgender and begins to use both they/them and she/her pronouns. They change their name via a Change of Name Deed and begin transitioning socially. Ricky is fully supportive of Stephanie throughout this process.

The next year, Ricky notices his father has an odd mole, and after some tests, Tom is diagnosed with skin cancer. Fortunately, it is caught quickly, the treatment is effective, and the cancer goes into remission. It does though prompt Tom to slow down a bit and he decides to retire from the police force.

Max is an avid fan of formula one and racing games. The onset of the pandemic meant he was spending more time online, and he decided to start a YouTube gaming review channel in 2020. He's extremely knowledgeable about the subject and his dedication and enthusiasm mean he quickly gained subscribers, and his channel grew. Keen to support his son, Ricky helped Max join the YouTube Partner Programme and linked his own AdSense account to Max's YouTube channel. The money raised is paid into Max's child trust fund account.

Since retiring, Tom has also been spending more time online and has enjoyed keeping up with Max's exploits on his YouTube channel. He has also been exploring what else the internet has to offer and has several active social media accounts including Facebook, Instagram, X and Reddit.

By 2020, Ricky and Stephanie have been dating for five years. Ricky's dad's health scare last year has prompted Ricky to think about the future and he and Stephanie decide they'd like to grow their family and they buy a house. They considered the various options available to them including fostering, adopting, and natural conception with a friend, but decided the more formal surrogacy route was the correct route for them and contacted a surrogacy agency to help them find a suitable egg donor and surrogate.

As both Ricky and Stephanie had viable sperm, once a suitable egg donor was found in 2022, they use each of their sperm to create embryos which were implanted in the surrogate. Sadly, the first round of IVF involved in the process was unsuccessful, but they decide to try again in late 2023.

By this time, Stephanie's parents were in their late seventies. Stephanie received a phone call in November 2023 from Rebecca advising them that their mother Valerie has heart failure and is unlikely to make it through the night. Stephanie rushes to the hospital. Their father, John, refuses to let them see their mother and by the next morning she has passed away.

In her Will Valerie has left most of her estate to John but has included a gift of 10% of her estate to her grandchildren. At this point Rebecca has two children with her husband, Robert, and Stephanie has none. However, shortly before this Ricky and Stephanie were thrilled to find out that the second round of IVF had been successful and that their surrogate was pregnant and is due to give birth in July 2024. Having had sight of a copy of Valerie's Will, on the assumption that her parents made mirror Wills, Stephanie discovers that she's been excluded on the death of the survivor of them, with her parents leaving half their estates to Rebecca, or her children if she predeceases, the other half to their grandchildren at 21, with a substitution for charities if no grandchildren reach this age.

Barbara has been showing signs of forgetfulness for some time and is diagnosed with dementia which has caused Tom to take the eye of the ball when it comes to his own health. Tom goes for a check-up and is advised that his cancer has returned, along with secondary cancer and it is terminal. His prognosis is 1-2 years.

Ricky and Stephanie come to see you to get their Wills drafted in preparation for their new arrival and would like some inheritance tax advice. Ricky wants to make sure that he's adequately providing for Stephanie, Ricky and the new baby whilst minimising the tax burden on their estates; he's invested well over the years practising as a GP and has even dabbled in crypto assets.

At the meeting Ricky brings up his concerns about Max's finances as he'll be turning 18 soon and whilst he's a smart lad, he's worried about his ability to make decisions when it comes to money; he would like some advice on how he can help his son now and in the future. Max is nearly 18 and has started learning to drive. He's asked Ricky about using some of his YouTube money to buy a car when he passes his test.

Ricky is also concerned that his mum won't cope well after his dad's death; he's found a leaflet for Dignitas when he was looking for paperwork at their house and wants to know what to do; he recalls his parents did EPAs years ago but he's not aware of them having anything in place for health and welfare, or how up to date their Wills are, though believes he was named as executor alongside the surviving parent in their most recent Wills. His concern is that his mum will be extremely vulnerable if left living on her own and wants to protect her as best he can.

Stephanie would also like some advice on the situation with her parents. Is the child the surrogate is carrying entitled to inherit from them as a grandchild? And if, as she suspects is the case, she's been excluded from her father's Will, does she have any right to make a claim against his estate when he passes away?