



**CILEX Level 6 Single Subject Certificate/CILEX Level 6 Professional Higher
Diploma in Law and Practice/CILEX Level 6 Graduate Fast-Track Diploma**

Unit 21 – Probate Practice

Case study materials

November 2026

Information for candidates

- You should familiarise yourself with these case study materials before the examination, taking time to consider the themes raised in the materials.
- You should consider the way in which your knowledge and understanding relate to these materials.
- In the examination, you will be presented with a set of questions which will relate to these materials.
- You may discuss these materials with your tutor(s).

Instructions and information to candidates during the examination

- You are allowed to take your own clean/unannotated copy of this document into the examination. Alternatively, you can access the electronic version of this document in the examination.
- You are allowed to take your own unmarked copy of the following designated statute book into the examination – ***Blackstone's Statutes on Property Law 2025-26 33rd edition, Meryl Thomas, Oxford University Press, 2025***
- You must comply with the CILEX Exam Regulations – Online Exams at Accredited Centres/CILEX Exam Regulations – Online Exams with Remote Invigilation.

ADVANCE INSTRUCTIONS TO CANDIDATES

You are a trainee lawyer and you work in the Private Client Department of Kempstons, 14 East Street, Bedford, MK42 7CD (DX:BD345987).

Your head of department is Marcus Wu.

You arrive at work to find the following documents awaiting your attention:

DOCUMENT 1: Email from Marcus Wu re: Arthur Ames

DOCUMENT 2: Email from Marcus Wu re: Fergus Finnegan deceased

DOCUMENT 3: Will of Fergus Finnegan

DOCUMENT 4: Email from Marcus Wu re: Kate King deceased

DOCUMENT 1

EMAIL FROM MARCUS WU RE: ARTHUR AMES

From: Marcus Wu (Marcus.wu@kempstons.co.uk)

To: Trainee Lawyer

Date: *(Yesterday's date)*

Subject: Arthur Ames

Arthur telephoned me today enquiring about making a new Will. He has an appointment to discuss this on Tuesday next week. Arthur is 47 years old and lives alone with his dog, Elmer, his only companion.

Kempstons acted for Arthur early last year when he was divorced by his former wife, Edith. She discovered that Arthur had been having a long-term affair with a work colleague, Bea, when Bea made an application for child maintenance against Arthur for their daughter Cleo. Cleo is now two years old. Arthur had ended his relationship with Bea when he found out that she was pregnant with Cleo and Bea refused to end the pregnancy or have Cleo adopted. Bea moved to a different department at work and Arthur tried to have nothing more to do with either her or Cleo; however, the Child Maintenance Service made a child maintenance order against him. Arthur informed me that he was up to date with these payments but that he did not have any further connection with either Bea and Cleo, nor did he want any.

Arthur was able to buy a two-bedroomed terraced house in Bedford following the divorce, with the aid of a substantial mortgage. He has a life assurance policy that will pay off the mortgage in the event of his death. He still has his four-year-old Ford Puma car but otherwise Arthur has no savings or assets. Arthur works as a civil servant but after making his mortgage repayments, the child maintenance payments, his utility and food bills, he has very little disposable income left at the end of each month.

Arthur has one other child, Dinah, who is 23 years old. Dinah has refused to have any contact with Arthur since he and her mother divorced. Dinah has suffered from clinical depression since her parents divorced and has been unable to get a job since graduating from university with a degree in film studies. Dinah is in receipt of Universal Credit while she searches for work.

Following her divorce from Arthur, Edith, who is 46 years old, retained the former family home, where she lives with Dinah. Edith had to remortgage the home to pay a lump sum to Arthur on the divorce but her mortgage is still much smaller than Arthur's. Edith works as an administrator in the local courts and is able to make the mortgage repayments out of her own income.

Arthur indicated that he wishes to leave all of his estate to the Canine Trust. He says that his dog Elmer is his closest and most faithful friend, and he does not want anything to go to his children.

I should like you to assist me with advising Arthur regarding his Will.

DOCUMENT 2

EMAIL FROM MARCUS WU RE: FERGUS FINNEGAN DECEASED

From: Marcus Wu (Marcus.wu@kempstons.co.uk)

To: Trainee Lawyer

Date: *(Yesterday's date)*

Subject: Fergus Finnegan deceased

I met with Gitta Finnegan yesterday when she informed me of the sudden death of her husband Fergus Finnegan from a stroke. She handed me an original certified copy of his death certificate which showed that Fergus was born in Liverpool on 24 July 1953 and died, aged 73 years old, on 26 October 2026.

Gitta handed me Fergus' Will dated 19 October 2011 (**Document 3**) and a photocopy of it made just after it was executed, which shows that the original amount of the legacy to Ilene, when Fergus signed his Will, was £5,000. Gitta confirmed that she made her Will on the same date but had Fergus as both her executor and residuary beneficiary. Gitta explained that she and Fergus had been discussing updating their Wills and she thought that Fergus must have used a black marker pen to delete the original amount of the legacy and written in the amount of £25,000 by hand. This was the amount to which they had decided to increase the legacy.

Fergus' only family, apart from Gitta, were his brother, Haley, who died from cancer in May 2017 and Haley's daughter Ilene, who is now 36 years old. She lives with her mother in Liverpool. Gitta explained that she and Fergus had never been blessed with children, even though they had been married for 47 years.

When asked about the Will itself, Gitta said that Haley's wife had typed out the Will for them using some of the clauses that she got from an online Will writing template. Their friends Jean and James Jones had witnessed the Wills when Gitta and Fergus went round to visit them at their flat.

Gitta gave me brief details of Fergus' assets, which include his half share of 12 Lakeside Close and his half share of a Black Horse Bank current account, both of which he owned as joint tenants with Gitta. She told me she had already taken a copy of Fergus' death certificate into the bank, which was transferring the account into her sole name.

The other assets held in Fergus' sole name are as follows:

	£
Black Horse Bank savings account	26,000-00
Black Horse fixed-term ISA	40,000-00
Collection of poetry books approximately	5,750-00
Nissan Micra car	12,000-00
Gold watch	<u>1,250-00</u>
	<u>£85,000-00</u>

Gitta was not sure if the book '100 Poems' by Seamus Heaney (as referred to in Fergus' Will) was amongst Fergus' poetry book collection but she thought that it probably was as Fergus was very proud of it. He had bought it at a poetry reading event by Seamus Heaney in Liverpool, where he had personally signed it for Fergus. Gita was also thinking about selling his car as she does not drive and his gold watch as there is no male relative who might want it.

Gitta has instructed me to deal with Fergus' estate and I would like you to assist me with this.

DOCUMENT 3

WILL OF FERGUS FINNEGAN

This is the last Will and testament of me Fergus Finnegan of 12 Lakeside Close, Bedford, Bedfordshire

1. I revoke all former Wills and Codicils
2. I appoint my brother Haley Finnegan of 18 Mersey View, St Helens, Merseyside to be the executor and trustee of my Will

£25,000

3. I give the sum of £[REDACTED] and my book 100 Poems signed by the author Seamus Heaney to my niece Ilene Finnegan of 18 Mersey View, St Helens, Merseyside absolutely
4. Subject to the payment of my debts funeral and testamentary expenses I give the residue of my estate to my wife Gitta Finnegan of 12 Lakeside Close, Bedford, Bedfordshire absolutely provided that if she should predecease me then to my said niece Ilene Finnegan absolutely

Dated this 19th day of October 2011

Signed by the testator)

in our joint presence) *Fergus Finnegan*

and then by us in his)

Jean Jones

Flat 26 The Circle

Bedford

James Jones

Flat 26 The Circle

Bedford

DOCUMENT 4

EMAIL FROM MARCUS WU RE: KATE KING DECEASED

From: Marcus Wu (Marcus.wu@kempstons.co.uk)

To: Trainee Lawyer

Date: *(Yesterday's date)*

Subject: Kate King deceased

I received a telephone call from an established business client of the firm, Matt Morris, yesterday and I have made an appointment for him to come in and see me.

Matt's partner, Kate King, died on 5 November 2026, aged 43, after an accident at a private firework display. They have two children: Noah King, who is 7 years old and Poppy King, who is 5 years old. Kate did not have any other children but Matt's son, Tom Morris, who is 14 years old, also lives with them. Tom has taken Kate's death very hard as his own mother died when he was only 3 years old and Kate had treated him as if he were her son. Kate's parents, Rhys and Sharon King, live nearby and have been very supportive of Matt and the children.

Matt and Kate had lived together since Kate's divorce from her former husband, Liam Lowe, in 2017. Kate moved into Matt's house, which is in his sole name. His mortgage was paid off as a result of his late wife's death in 2015. Kate did not own any property but she invested her share of the sale proceeds of the former home she owned with Liam.

Matt does not think that Kate made a Will.

Kate's assets mainly comprise a balance of £130,000 in the Bedfordshire Building Society and a portfolio of stocks and shares which were valued at £125,000 recently. Other than these, Kate owned only a few personal items of jewellery, a small balance in her Bedford Bank current account and some household effects, most of which were jointly owned with Matt.

Kate worked in a local government office and earned £36,515 per annum. Kate's gross income, received during this tax year up to the date of her death, from her earnings, interest and dividends was as follows:

	£
Local authority salary	21,300-00
Interest from Bedfordshire Building Society	3,000-00
Dividends from stocks and shares	<u>3,200-00</u>
Total gross income	<u>£27,500-00</u>

I should like you to assist me with dealing with Kate's estate.

End of the case study materials

© 2026 The Chartered Institute of Legal Executives