



CJM LAWYERS

CRONIN . JAMES . MCLAUGHLIN

AUGUST 2024

Exciting Announcement

MJO Legal merges with CJM Lawyers

We are thrilled to announce that MJO Legal (formerly McNamara James & O'Connor) is now part of the CJM Law Group!

This dynamic merger combines the unparalleled expertise of MJO Legal and CJM Lawyers, offering expanded services and even greater support for you. We're excited to share our new office located in Grafton, and we look forward to continuing to support and assist the Grafton community as we embark on this exciting journey.



79 Victoria St, Grafton
NSW 2460

CJM Lawyers Sponsored Razzel's Charity Golf Day

CJM Lawyers proudly served as the Gold Sponsor for Razzel's Charity Golf as we honoured Razzel's legacy who unfortunately lost her battle to cancer. Runners for Razzel started as a way for Founder Deb Frugniet to keep her mother Razzel's love alive. Razzel was an incredible woman who dedicated her life to her 6 kids and 23 grandkids until her passing in late 2011. Runners for Razzel serves many purposes, it is a chance to Razzel on a pedestal and talk about her to anyone who will listen, it encourages connection between Deb's huge family which was Razzel's last wish but greater than that it is a way to raise much needed funds for the Cancer Council QLD.

We would like to thank Tradepro Installations and Cancer Council Queensland for putting together a great day of golf and we are proud of everyone's contribution to such a wonderful cause with a total of \$30,500 raised. We are grateful for the opportunity to be able to support Razzel's Charity Golf Day 2024!



Emerald Lakes Golf Club

What happens if a beneficiary of my Will goes missing

With the return of overseas travel and the ever-developing ability for people to live and work all over the world, locating the beneficiaries of a Will after the death of a testator has become more difficult.

This issue has furthered the need to ensure you have a Will that is properly drafted by an experienced Solicitor, who can do more than just prepare your Will, but also ensure that there are enough details about your estate and the beneficiaries of your Will to ensure that your Executor can locate your beneficiaries after you have passed away.

So, what happens if a Beneficiary cannot be found? Several options are available to your Executor. However, in the worst-case scenario, they may need to apply for a Benjamin Order from the Supreme Court.

A Benjamin order was first established by the Chancery Court decision in re Benjamin; Neville v Benjamin [1902] where the court decided that it could order the redistribution of a deceased estate when a missing beneficiary is presumed dead.

A Benjamin Order was more recently considered by the court in the matter of Application of Roberts [2023] NSWSC in which the beneficiaries were the deceased's five children - one of the five children had last been seen on a hitchhiking trip with his fiancé at Byron Bay in 1979 and had never been seen or heard from since.

After considering all the evidence available, the Court ultimately determined to redistribute the estate amongst the remaining beneficiaries – but only after a long and expensive hearing at the expense of the Estate!

Contact us today to ensure your estate is divided according to your wishes.

BOOK AN APPOINTMENT

Book an appointment with CJM Lawyers today to benefit from our expert legal services.

Don't hesitate—secure a free initial consultation today to ensure your legal needs are met promptly and effectively.

BOOK NOW

Contact Us

www.cjmlaw.com.au

1300 245 299

info@cjmlaw.com.au

Our locations

SURFERS PARADISE

91 Bundall Road, Surfers Paradise Qld 4217

PO Box 838, GCMS
QLD 9726

TWEED HEADS

Lvl 1, Wharf Central
19/75-77 Wharf St, Tweed Heads NSW 2485

PO Box 1617, Kingscliff
NSW 2487

GRAFTON

MJO Legal
79 Victoria Street
Grafton NSW 2484

CHINDERAH

1 Waugh St, Chinderah NSW 2487

PO Box 1617, Kingscliff NSW 2487

MURWILLUMBAH

Ellis & Baxter Solicitors,
4 Wharf St, Murwillumbah NSW 2484

PO Box 935, Murwillumbah NSW 2484

1 Jane Dr, Dargan, NSW 2484

I, Jane Dr, being of sound age and of sound mind and of sound memory, make my Last Will and Testament as follows:

1. Marital status:
I am married to John Doe.

2. Children:
I have three children, John, Jane and Michael. I am the sole guardian of my children.

3. Grandchildren:
I have six grandchildren, all of whom are the sole beneficiaries of my estate.

4. Other dependents:
I have no other dependents.

5. Legacies:
I hereby give to the Executor of my estate without the prior or all specific powers as conferred by law.

6. Security:
I hereby give to the Executor of my estate without the prior or all specific powers as conferred by law.

7. Residuary legacies:
I hereby give to the Executor of my estate without the prior or all specific powers as conferred by law.

8. Specific legacies:
I hereby give to the Executor of my estate without the prior or all specific powers as conferred by law.

9. General legacies:
I hereby give to the Executor of my estate without the prior or all specific powers as conferred by law.

10. Specific legacies:
I hereby give to the Executor of my estate without the prior or all specific powers as conferred by law.

11. General legacies:
I hereby give to the Executor of my estate without the prior or all specific powers as conferred by law.

12. Specific legacies:
I hereby give to the Executor of my estate without the prior or all specific powers as conferred by law.

13. General legacies:
I hereby give to the Executor of my estate without the prior or all specific powers as conferred by law.

14. Specific legacies:
I hereby give to the Executor of my estate without the prior or all specific powers as conferred by law.

15. General legacies:
I hereby give to the Executor of my estate without the prior or all specific powers as conferred by law.