

Probate and Administration of Estates

What is Involved?

Work which we will do on your behalf

It is important for us to agree exactly what work we will be doing on your behalf. If the following lists do not cover the work in question, please do not assume that we will be dealing with it. If you are in any doubt about a particular matter, please ask us whether or not we will be dealing with that matter on your behalf. We cannot be held responsible if you had assumed that we would be carrying out a particular task which you had not communicated to us and it does not appear in the following lists.

In cases where a grant of probate or letters of administration is not likely to be required we will:-

- go through with you details of the assets and liabilities of the estate
- obtain any necessary documentation from account holders such as banks and building societies to enable accounts to be closed or transferred without the need to obtain a grant of probate or letters of administration
- arrange for any such documents to be completed and, if necessary, sworn to by you and then returned to the appropriate account holders
- discharge any debts and liabilities which you have specifically told us about
- account to you for net monies received
- deliver to you any required documents such as building society pass books, Premium Bonds, National Savings Certificates and so on

In cases where you require us to take out a grant of probate or letters of administration but not to administer the estate we shall, in addition to the items in the above list:-

- prepare, if necessary, an Inland Revenue Account which sets out full details of the assets and liabilities of the estate
- draft an executor's or administrator's statement of truth and arrange for this to be signed by the executors/administrators
- make arrangements for the initial payment of inheritance tax if any
- lodge the relevant documents with a probate registry

Probate – What is Involved?

- inform you of the grant of probate or letters of administration and
- forward the original document to you with any required office copies

In cases where you require us to administer the estate or if we are ourselves the executors of the estate we shall, in addition to the items in the above two lists:-

- register the grant of probate/letters of administration with the various account holders
- make arrangements to close/transfer assets either to ourselves on a temporary basis or direct to the appropriate beneficiaries
- where appropriate issue the statutory advertisements for creditors under the Trustee Act 1925
- settle the final tax affairs of the deceased with the Inland Revenue
- deal with the Inland Revenue as regards any income tax and/or capital gains tax liability arising during the period of administration
- inform the Inland Revenue of any new trust or trusts arising from the estate
- deal with the Capital Taxes Office regarding any requisitions (enquiries) they may have arising from the Inland Revenue Account
- prepare any corrective inheritance tax account required
- obtain a clearance certificate from the Capital Taxes Office for the purposes of inheritance tax
- draft estate accounts for approval by the executors/administrators and/or the residuary beneficiaries as appropriate
- pay any legacies specified in the will
- ensure that any specific bequests of items have been completed by delivery to the appropriate beneficiaries
- account to the residuary beneficiaries for their respective shares in the residue of the estate

What is involved in dealing with an estate?

- Take instructions from executors
- Obtain details of the estate from third parties (i.e. property values, bank account and investment values, details of any debts etc.)

Probate – What is Involved?

- Complete an inheritance tax form
- Draft a Statement of Truth (this is the application for the Grant or Probate or Letters of Administration)
- Executors to sign the inheritance tax form and statement of information
- Pay inheritance tax if necessary
- Send application for the Grant or Letters of Administration to the Probate Registry
- Receive Grant of Probate or Letters of Administration from the Probate Registry
- Deal with the administration of the estate in accordance with the executors' instructions.