



Welcome to our quarterly newsletter – in this edition we look at:

- What to do when someone dies without a Will
- How difficult is it to do probate yourself.

Dying without a Will



What to do when someone dies without a Will?

When someone dies without leaving a Will, it is known as dying **intestate**. Intestacy can complicate the probate and estate administration processes, as the law decides who will deal with the estate and who will inherit from it.

When there is no Will, the person who applies to administer the estate is instead known as an **Administrator**. This individual has the same role and responsibilities as an **Executor of will**; the main difference is that they are appointed by the court. This is usually the deceased's next of kin.

Probate or **Letters of Administration** (collectively known as a **Grant of Administration**) are not always required; generally, you will not need a Grant if the estate's value is less than £5,000.

If a **Grant of Representation** is required but the **Executor** or **Administrator** does not obtain one, they will not be able to proceed with the estate administration process. This leaves you at risk of increased interest on Inheritance Tax, claims against the estate from beneficiaries, and more. It's recommended to start the application process as soon as possible, as this will allow you to begin administering the estate once a Grant has been issued.

Want to avoid family disputes?

Contact us today to set up your Will.

DIY Probate



How difficult is it to probate yourself?

Probate is the process of obtaining a Grant of Probate, which is the legal document that an Executor may have to obtain in order to administer the estate of someone who has passed away. **Many people choose to instruct a professional to apply for probate on their behalf**, as it involves complicated processes, a lot of paperwork, and legal knowledge.

However, if you are responsible for administering an estate and choose to obtain probate yourself, you should be aware of not only the processes, but also the time involved, so that you can make an informed decision on how to proceed.

A professional who has probate expertise will be able to apply for probate more efficiently, as they will have previous experience and knowledge. However, there are regular delays within the Probate Registry due to backlogs and the volume of applications.

Once the Grant is obtained the Executor or Administrator has to undertake the estate administration which can be a time consuming and stressful process, due to the volume of tasks. It is worth considering using expert services, like Kings Court Trust.

Get in touch for a referral.