

Our probate service

Full administration – applying for the grant, collecting & distributing the assets

Stage 1 – Initial meeting

We will arrange an initial meeting to discuss the deceased's estate and the application process (approximately 1 to 1.5 hours)

Stage 2 – Client care letter & funeral support

We will issue our initial letter enclosing our client care letter, including a cost estimate, and provide any assistance or advice regarding the funeral as necessary.

Stage 3 – Prepare schedule & send initial letters

Using the deceased's documents, we will prepare a schedule of assets and liabilities, providing an initial gross and net value of the estate. Following this, we will prepare and send initial letters to various financial institutions requesting date of death valuations and establishing the full extent of the estate and any liabilities of the estate. Please note, once our letters have been sent, we are reliant upon third parties to come back to us in a timely manner; we have little control as to how long third parties take to respond.

Stage 4 – Prepare documents

We will obtain the relevant documents and valuations required to make the application for the grant of probate. If inheritance tax is due, we will prepare the IHT400 for your approval and signature. This will take approximately three weeks.

Stage 5 – Submit IHT400

We will submit the IHT400 to HM Revenue & Customs. HMRC will then issue a code, which will take approximately 20 working days, allowing us to prepare the probate application. The first instalment of inheritance tax will be due at this stage.

Stage 6 – Complete probate application

We will then complete the online probate application and prepare a draft legal statement for your approval and signature.

Stage 7 – Submit application

We will then submit the Grant of Probate application on your behalf and forward the original documents to the Probate Registry. It currently takes approximately 16 weeks for the Probate Registry to issue a grant.

Stage 8 – Collect in estate & arrange assets

Once the grant of probate has been issued, we will collect in the estate and arrange for the transfer or sale of assets. Now that the grant has been issued, if the estate consists of a property, the property sale can exchange/complete. Depending on the number of assets in the estate, this can take a long time and in some cases, years.

Stage 9 – Payments

As part of this process, we will arrange for the payment of any outstanding liabilities, including the paying out income tax due from the estate. There may also be other inheritance tax, income tax and capital gains tax considerations to be addressed during this time. We will also arrange for the payment of legacies due under the terms of the will and make interim distributions of the residue, if necessary.

Stage 10 – Apply to HMRC for clearance

We will apply to HMRC for clearance in respect of inheritance tax, capital gains tax and income tax. We are reliant on HMRC's timescales in this regard and this can take many months to complete.

Stage 11 – Complete estate administration

Once clearance has been granted, the estate administration has been completed. It is not unusual for this whole administration to take around one to two years for a straightforward estate. For more complex estates, these timescales can easily increase to two to five years depending on the complexity of assets involved, family circumstances and tax considerations.

Stage 12 – Final distributions

The final estate accounts will be prepared for the approval of the executors and a copy will be sent to the residuary beneficiaries. Once approved, final distributions will be made to the residuary beneficiaries.