

Probate process

Pre-grant

The practical steps

Step 1:

- Register the persons death and obtain a death certificate
- Use the 'tell us once' service to notify the government agencies
- Make the funeral arrangements and notify family and friends
- Notify home insurers and utility companies
- Remove valuables from the empty property
- Instruct a solicitor to help you administer the deceased's estate.

The legal part

Step 2:

- Establish whether the deceased left a will and who are the appointed executors
- If there is a will the executors will carry out the deceased's wishes
- If there is no will a set of rules called the intestacy rules will dictate who is entitled to administer and benefit from the estate.

Next steps

Step 3:

- Report the death to banks, building societies and other financial institutions
- Valuing other assets, and liabilities and any gifts made in the seven years up to the date of death
- Placing creditor notices
- Clearing the deceased's life time tax affairs.

The probate application

Step 4:

- Settling any inheritance tax due
- Signing the statement of truth and inheritance tax account
- Applying and obtaining a grant of probate to unlock the assets.

Post-grant

Consolidation

Step 5:

- Collecting in and selling the assets
- Settling all liabilities
- Considering any tax planning (deeds of variation, CGT planning)
- Dealing with any HMRC - IHT enquiries and obtaining IHT clearance
- Paying any legacies
- Considering any potential claimants.

The final steps

Step 6:

- Producing estate accounts
- Dealing with the estate administration tax affairs
- Distributing the estate to the beneficiaries.