PRIVATE CLIENT GUIDE

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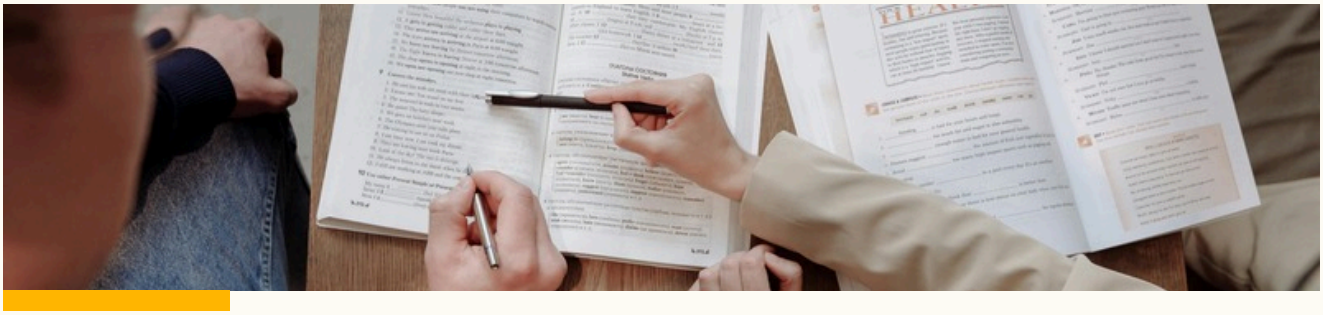
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UNDERSTANDING PROBATE: A PLAIN-ENGLISH OVERVIEW

What it is, why it exists, and how it works today

Probate and estate administration are the process of dealing with a person's estate after they have died. This guide explains what is involved and how support can help.





What do people mean by “probate”?

Obtaining a grant of probate and estate administration is the process of dealing with a person's estate after they have died.

In simple terms, these allow the right people to:

- Confirm who is authorised to act
- Gather information about assets and debts
- Deal with tax reporting where required
- Distribute assets to those entitled to them

Many organisations will not release funds or transfer assets until formal authority has been granted. A grant of probate provides that authority.

If someone dies without a Will, the grant obtained is of letters of administration, rather than of probate. However, the term “probate” is commonly used to cover both scenarios.

Who deals with an estate?

The people responsible for an estate are called personal representatives.

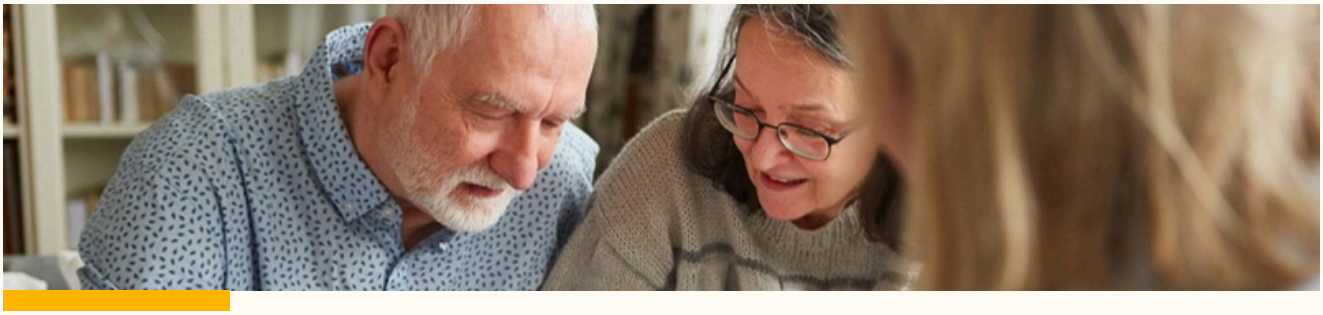
- If there is a Will, these are usually the executors named in it
- If there is no Will, administrators are appointed under the intestacy rules

Being a personal representative carries responsibility, but it does not mean you must do everything yourself. Many people choose to work with a probate practitioner to guide or carry out the process.

PROBATE?

ADMINISTRATION?

ESTATE?



What usually happens in a probate matter

Every estate is different, but most follow a broadly similar path.

- **Information gathering**
  - Identifying assets, liabilities and relevant paperwork, including digital assets and online accounts
- **Valuation**
  - Establishing values as at the date of death
- **Tax reporting**
  - Submitting required information to HMRC and dealing with any inheritance tax that may be due
- **Applying for probate**
  - Most probate applications are now made online, allowing information to be submitted and processed more efficiently
- **Collecting assets**
  - Once authority is granted, banks, investment providers and others can release funds or transfer assets
- **Paying liabilities and distributing the estate**
  - Debts, expenses and taxes are settled before distributions are made to beneficiaries

A probate practitioner can manage all of these stages or assist with particular aspects only.

How long does probate take?

There is no single timeframe. Some estates can be dealt with relatively quickly, while others take longer due to:

- The nature of the assets
- Tax complexity
- Property sales
- Overseas or digital assets, or
- Claims against the estate

Clear information and early professional support often help avoid unnecessary delay.

UNDERSTAND THE KEY STAGES OF PROBATE

GATHER INFORMATION AND DOCUMENTS EARLY

SEEK SUPPORT TO AVOID DELAYS AND COMPLICATIONS

When probate is straightforward, and when it isn't

Probate is often more straightforward where there is a clearly written Will, assets are UK-based and easily identifiable, and there are no disputes.

It can be more complex where there are:

- Business or investment interests
- Overseas assets
- Trusts
- Digital or cryptoassets, or
- Family disagreement

Understanding this early helps personal representatives make informed decisions about support.

How probate practitioners help

Probate practitioners provide practical, regulated support throughout the process. This may include:

- Preparing and submitting online probate applications
- Handling tax reporting
- Liaising with banks and institutions
- Managing communication with beneficiaries
- Reducing administrative and emotional burden

Support can be tailored, from guidance only through to full estate administration.

Looking ahead

Many of the challenges encountered during the probate process can be reduced by good lifetime planning, including preparing Wills and Lasting Powers of Attorney.

Our Jargon Buster explains many of the terms you may come across and can be a useful reference as you navigate the process. If you would like to talk through your circumstances or understand what support might be helpful, our probate team is available to help when you are ready.

TALK TO AN EXPERT



Jane Thackstone
Partner, Personal Tax
+44(0)1483 508 545
jane.thackstone@alliotts.com



Jeremy Ellis
Partner, Head of Probate
+44(0)1865 292 180
jeremy.ellis@shawgibbs.com



Janette Whiteway
Partner, Personal Tax
+44(0)1256 844 822
janette.whiteway@shawgibbs.com

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+44(0)20 7240 9971
www.alliotts.com