

Guide for the Bereaved



If you have recently experienced the death of a loved one, it is often difficult to know where to start or whom to turn to. Our experienced Private Client Lawyers offer a sympathetic and friendly approach when administering the estate of a loved one. Below is a guide to help you understand what needs to be done.

Registering the death

A "doctors certificate" will be issued by the doctor. This needs to be sent to the Registrar. Once available, the doctor's certificate will provide the contact details of the Registrar to arrange for the death certificate to be obtained. It will also provide all the information you will need to have to hand when registering the death. The Registrar will offer you the "Tell us once" service, which is a helpful tool to notify certain government organisations of the death.

Arranging the funeral

In some circumstances, family members may have already arranged and paid for their funeral by a funeral plan. Otherwise, you may need to contact your local independent family run funeral director who will discuss funeral arrangements with you. There may be certain provisions requested in the deceased's Will which you should check before proceeding.

Is there a Will?

Try and make a reasonable search for the Will. A copy or original could be held amongst the deceased's personal papers or with their solicitors. If there is a Will, the executors should be notified immediately. It is their responsibility to act in the administration of the estate. If you are not an executor named in the Will, you could be seen as intermeddling and be held personally liable for any actions you have taken.

Lost Wills:

Certainty – The National Will Register locates missing Wills in the location of the deceased's home or work

Do I need to obtain a Grant of Probate?

If the deceased owned property in their sole name or a share of a property in joint names with others (in certain circumstances), or held assets which at the time of death totals £5,000 or more, it may be necessary to obtain a Grant of Probate. Some banks however, have increased this limit, which can extend to over £50,000. We would recommend trying to ascertain what the assets are and the approximate value at the date of death and contact Lawson West Solicitors to arrange a no obligation meeting where one of our Lawyers can sit with you and offer our guidance and support.

Grant of Probate or Grant of Letters of Administration

A Grant, is a court-sealed document issued by the Probate Registry. This sealed document authorises the personal representatives to administer the estate of the deceased in accordance with the terms of the Will or intestacy.

If the deceased left a valid Will appointing Executors, a Grant of Probate will be issued in the names of the Executors of the Will.

If the deceased did not make a Will, the rules of intestacy apply. A Grant of Letters of Administration is applied for by those entitled under intestacy to the estate.

Meet the Probate & Wills Team

Do I have to pay Inheritance Tax?

Inheritance Tax may be payable depending on the value of the estate or where the assets pass to on death. If payable, Inheritance Tax must be settled within 6 months from the date of death. Penalties may be applied for late payment. For more information on Inheritance Tax, please see our Guide to Inheritance Tax.

How long does it take to administer an estate?

This is the how long is a piece of string question. Once a Grant has been obtained, this must be registered with all financial institutions which the deceased held assets with. Once the assets have been called in/accounts closed, any liabilities must be settled and cash/specific gifts in the Will can be made. Estate Accounts should be prepared and if necessary, a tax return completed. Only once all the assets have been called in and all liabilities have been settled can the balance be distributed to the beneficiaries and the estate wound up.

The timescale will depend entirely on the complexity of the estate. However, when there is a property to be sold, it is not unusual for an estate to take up to 12 months.

Is a Solicitor needed?

Theoretically, anyone can administer an estate, but would you want this burden to land on the lap of your loved ones?

The role of an Executor or Personal Representative is an onerous obligation, which is time consuming and can often leave you being swamped in paperwork. The Executor or Personal Representative can also be held personally responsible for any loss to the estate. Instructing a Solicitor to act on your behalf can help to relieve that pressure and burden.

Lawson West Solicitors Private Client Team is friendly and empathetic.

Contact us today to see how we can help.



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At Lawson-West, we offer professional, friendly and practical advice. We can highlight any key issues or provide alternative solutions to provide you and the bereaved's family with peace of mind.

Please note that this guide is intended as general information only, for private use by our clients. It is not a statement of the law and should not be relied on as advice in any particular case.

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