

Family Law:

Probate

Probate is the process by which a Will is proved before the Royal Court to be the last Will and Testament of a deceased person. The issuing of a Grant of Probate allows the Executor of the Estate to proceed with the administration of the Estate. At Benest & Syvret we have a dedicated team who are able to assist you in the administration of a deceased person's Estate including all the necessary applications for Probate.

Do I need to apply for a Grant of Probate?

On some occasions it will not be necessary to apply for a Grant of Probate. If the deceased had assets in joint names (such as a joint bank account held between husband and wife) those assets pass automatically to the survivor. If all of the assets belonging to the deceased were held in this way there is no Estate to deal with and consequently Probate will not be required. Specific advice should however be sought.

What if there is no will?

If there is no Will, the Court will grant "Letters of Administration" in place of Probate to appoint an **Administrator** in the place of an **Executor**.

What information will I need?

Benest & Syvret can advise in relation to all of these applications. To assist us in advising you in this area we will need to know:

- If there is a Will or not.
- If there is an **Executor** appointed under the Will or, if not, who is to be appointed as **Administrator**.
- Details of the funeral arrangements and appointed funeral director.
- Whether there are any debts due by the Estate of the deceased person.
- A list of assets of the Estate including bank accounts, shares, insurance policies and personal belongings.
- Whether the Income Tax authorities and Social Security Department have been notified of the death.
- Details of the deceased person's surviving relatives.

Estate Administration

Once the Probate application has concluded Benest & Syvret can provide a full and cost effective Estate administration service to see the liquidation of the Estate, payment of all debts and distribution of legacies if required.

This guide is intended to provide outline details only and should not be considered as a substitute for specific legal advice. It should be noted that the contents of this guide relate only to individuals domiciled in Jersey. [Disclaimer](#).