

Probate 101

Answers to Your Most Common Questions

Probate can be a complex process, but we're here to help. This short document answers some of the most common questions about probate, so you can understand what to expect.

Prefer to talk it through with one of our probate experts?



[Speak to an expert for free](#)

Please note, the provided responses are meant for general informational purposes and should not be considered as legal counsel. If you require tailored legal guidance on any aspect of probate, reach out to our experienced team at Trustestate.

What is Probate?

Probate is the legal process of sorting the estate (property, money and possessions) of someone who's died. Whether you need it depends on the threshold set by the bank or financial organisation – this can be anywhere between £5,000 and £50,000. The probate registry charges £273 to apply and it takes approximately 16 weeks to be granted.

What is the difference between a Grant of Probate and Letters of Administration?

Grant of Probate is the legal document you'll get if the person left a will. If they didn't leave a will, you'll get a Grant of Letters of Administration instead.



Do I need probate?

You'll probably need probate if the person who died:

- ✓ Owned property or assets in their sole name or as 'tenants in common', &
- ✓ The value exceeds the threshold set by the bank or financial institution involved.

The probate threshold is set by individual banks and financial organisations, not the government. This is often between £5,000 and £50,000 – each organisation has their own rules on how much money they can release before seeing a Grant of Probate.

You may not need probate if the person who died:

- ✓ Has an estate valued at less than £5,000
- ✓ Owned shares or money with others - this passes to the surviving owners (unless they've agreed otherwise)
- ✓ Owned land or property as '[joint tenants](#)' with others - this passes to the surviving owners

It's best to check with the relevant bank or financial organisation to be sure.

Where do I find a copy of the Will?

These might be online, with their solicitor, or printed and stored with other important documents. The will should name an executor, who's responsible for sorting the estate and carrying out the person's wishes.

- ✓ If there's no executor, or the named executor cannot act/gives up their role, the next of kin or beneficiaries can apply to be the administrator of the estate instead. If you can't find a will or letter of wishes, that's okay. Their estate will need to be shared out according to [the rules of intestacy](#) instead.

Is there a deadline for probate?



The whole process of sorting out the estate usually takes 6 to 12 months, but can take longer. While there is no specific timeframe for finalising the probate process itself, it's crucial to be aware of one essential time constraint: Inheritance Tax (IHT). Any IHT owed on the estate must be settled within six months from the date of the individual's passing.

Can you track a probate application?

You can track the preparation of your probate application on our platform. Once it's submitted to HM Courts and Tribunal Services (HMCTS), we'll seek updates from the Court for you.

When do I check if the estate is subject to inheritance tax?

Before you apply for probate, [check if the estate is subject to inheritance tax \(IHT\)](#). You'll generally need to pay 40% if the estate is worth more than £325,000 unless there are other allowances/reliefs available.

Check out our guide on [everything you need to know about inheritance tax in the UK](#), including how to minimise the tax you pay.

If IHT is due, submit the form, pay the IHT. There are a number of payment options available where there aren't funds available to pay all of the IHT at once.

If IHT isn't due, you'll still need the estimated value of the estate to apply for probate.



How Trustestate can help

Getting probate and sorting the estate can be complicated, but it's important to make sure it's done correctly. [Our platform](#) lets you manage the whole probate and estate administration process online, from start to finish.

What we offer

Grant of Probate

We apply for you, using information you provide

From

£500 + VAT

Speak to an expert for free

Complete Probate

We apply for probate and sort the entire estate for you

From

£1,500 + VAT

Speak to an expert for free

Get a fixed quote upfront and claim the money back, or pay directly from the estate.

It's cheaper and faster than a traditional probate service provider, so you can sort the estate efficiently and cost-effectively.