

PROBATE QUESTIONNAIRE



Please complete the questionnaire in as much detail as possible, and if further space is required for your answers, use the Additional Information space at the end of this questionnaire. You may find it helpful to read our Guide to Probate and our Bereavement Guide before completing this document.

We will refer to the person who has died as the 'Deceased' going forward with this questionnaire.

Sections in this Questionnaire:

- A** Personal details of the Deceased
- B** Will
- C** Personal Representatives
- D** Surviving Family Members
- E** Professional Advisors
- F** Assets
- G** Gifts made within 7 Years of Death
- H** Liabilities
- I** Additional Information
- Declaration

SECTION A: Personal Details of the Deceased

Title: Mr/Mrs/Miss/Ms/Other	Occupation:
Surname:	Last Usual Address:
Forenames:	
Any other name used in financial documents/accounts:	Town and country of birth:
Marital Status:	Date of marriage:
Date of Birth:	Domicile:
Date of Death:	Place of Death:

Please forward the Registrar's copy of the Death Certificate as soon as possible.

It is important to ascertain whether the Deceased made a valid Will and if any Codicils or Letter of Wishes accompany it to direct how the Deceased's estate is to be distributed.

If no valid Will exists, or the Will in existence does not dispose of all of the Deceased's estate, then the estate is to be distributed following the 'Intestacy Rules' (Please see our 'What happens if you die without making a Will' chart). These are mandatory rules and the distribution of the estate depends on whether the Deceased was married at the time of death.

Does the Deceased have a Will?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If not, then please go to Section D: Surviving Family Members		
Date of the Will:	Date of the Codicil(s):	
Is there a Letter of Wishes or Memorandum to accompany to the Will? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Where is the original Will and/or any Codicils or Letter of Wishes?		
<input type="checkbox"/> Archers LAW	<input type="checkbox"/> Other (please specify)	
Do the Executors require copies of the Will? <input type="checkbox"/> Yes How many? <input type="checkbox"/> No		

If you have the original Will, please forward it and any Codicils or Letter of Wishes or Memorandum to us by hand or secure post. DO NOT pin, staple or clip such documents in any way.

SECTION C: Personal Representatives

The Personal Representatives will be either the Executors (named in a valid Will) or the intended Administrators (where there is no Will or there are no Executors able or willing to act).

Details of any named Executors in a valid Will are required so they can be contacted to carry out their duties of administering the estate according to the Deceased's wishes.

1st Personal Representative

Title: Mr/Mrs/Miss/Ms/Other	Occupation:
Surname:	Full Postal Address:
Full Forenames:	
Relationship to Deceased:	
Tel No. (Home/Daytime):	Mobile:
Email Address:	

2nd Personal Representative

Title: Mr/Mrs/Miss/Ms/Other	Occupation:
Surname:	Full Postal Address:
Full Forenames:	
Relationship to Deceased:	
Tel No. (Home/Daytime):	Mobile:
Email Address:	

3rd Personal Representative

Title: Mr/Mrs/Miss/Ms/Other	Occupation:
Surname:	Full Postal Address:
Full Forenames:	
Relationship to Deceased:	
Tel No. (Home/Daytime):	Mobile:
Email Address:	

4th Personal Representative

Title: Mr/Mrs/Miss/Ms/Other	Occupation:
Surname:	Full Postal Address:
Full Forenames:	
Relationship to Deceased:	
Tel No. (Home/Daytime):	Mobile:
Email Address:	

Are any of the Executors unable or unwilling to take up their appointment? Yes* No

* If yes, please give details below or in the Additional Information section (Section I).

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SECTION D: Surviving Family Members

The beneficiaries will be named in a valid Will, but there may be other family members who are not inheriting under the Will or under the Intestacy Rules. These family members may be able to benefit from the Deceased's estate through an application to Court based upon the need for reasonable financial provision.

Additionally, it is important under the Intestacy Rules to establish the relatives of the Deceased in order for the estate to be distributed correctly.

Full Name	Address	Date of Birth	Beneficiary in Will? (Please tick)
Spouse			
Children			
Grandchildren			
Parents			

Siblings			
Other Kin (i.e. nieces, nephews, godchildren)			
Other Relevant Non-Family Beneficiaries			

Would you like us to write to the beneficiaries under the Will to notify them of their entitlement? Yes No

Has the Deceased or their Spouse been married more than once? Yes No

Please answer the following questions if the Deceased was a widow, widower or a surviving civil partner. If not, continue to Section E.

What date did the predeceasing spouse or civil partner die?

Please provide us with a copy of their death certificate.

We will advise you separately if we need more information from you about this person. Was the estate of the predeceasing spouse or civil partner dealt with by

- Will
- Intestacy

Who dealt with the estate? Solicitor
 Personal application

(Firm) name:	Address:
Tel No.	

SECTION E: Professional Advisors

The Deceased's professional advisors may need to be contacted in order to ascertain further information about the Deceased's assets for distribution.

<p>The Accountant is:</p> <p>Name:</p> <p>Firm Name:</p> <p>Address:</p> <p>Telephone:</p> <p>Email:</p>	<p>The Financial Advisor is:</p> <p>Name:</p> <p>Firm Name:</p> <p>Address:</p> <p>Telephone:</p> <p>Email:</p>
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If there are other Professional advisors whom the Deceased used then please provide us with their details in Section I if necessary.

SECTION F: Assets

The administration of the estate involves calling in the assets and distributing the same in accordance with the terms of the Will (or the Intestacy Rules if there is no valid Will in place). In simple terms, when somebody dies the first thing a Personal Representative needs to do is to establish exactly what the assets are. Thereafter all assets and liabilities need to be valued as at the date of death and once values have been obtained this will enable the Probate application papers to be prepared.

We need you to provide us with as much information as possible regarding the Deceased's assets so that we may present a complete picture of the estate to HM Revenue & Customs. **HM Revenue & Customs may impose penalties for failure to disclose fully assets of the Deceased or provide an accurate valuation of an asset.** If you are unsure of how to answer a question then please let us know.

<p>Land and Property</p> <p>Please list land and property owned by the Deceased. Please continue in Section I if necessary. Please provide a copy of HM Land Registry entry/conveyance/deeds for each property.</p>	
Address (inc. postcode)	
Solely or jointly owned	<input type="checkbox"/> Solely <input type="checkbox"/> Jointly with
Freehold or leasehold	<input type="checkbox"/> Freehold <input type="checkbox"/> Leasehold
Mortgage outstanding?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Lender & Account no:	

Location of title deeds	
Estimated value	£
Is the property empty?	<input type="checkbox"/> Yes <input type="checkbox"/> No If not, please advise who occupies the property:
Is it insured?	<input type="checkbox"/> Yes Insurer name: <input type="checkbox"/> No
Have you notified the insurance company of the death?	<input type="checkbox"/> Yes Date: <input type="checkbox"/> No

Foreign Property		
<i>Details of Land/Property/Account/Investment</i>	<i>Jointly owned?</i>	<i>Value (£)</i>
Did the Deceased make a separate foreign Will?		

Personal		
Cash (not in bank)	£	Held by (name):
Personal chattels	Furniture	£
	Jewellery	£
	Art	£
	Other (e.g. books, hobby equipment, camera, etc.)	£
		£
Car	Make and model	
	Approx. value	£
	Registration no.	
	Mileage	
Warning: Do not use the vehicle without checking with the insurance company	Has insurance company been notified?	<input type="checkbox"/> Yes <input type="checkbox"/> No Insurer:

Banks and Building Societies

Please provide details of bank and building society accounts and cash ISAs and indicate whether they are held jointly or solely by the Deceased.
Please let us have account statements and passbooks.

<i>Bank/Building Society</i>	<i>Account Number & sort code</i>	<i>Balance at date of death (£)</i>	<i>Sole or joint name</i>

Life Policies and Annuities

Please provide us with original policy documentation and any correspondence with the insurers.

<i>Name of company</i>	<i>Policy Number</i>	<i>Policy payable to (please tick) -</i>		
		<i>Estate</i>	<i>Someone else</i>	<i>Continues after death</i>
Did the Deceased pay the premiums on a policy for anyone else?	<input type="checkbox"/> Yes * <input type="checkbox"/> No If yes, please provide further details in Section I: Additional Information			

Stocks and Shares

Did the Deceased own stocks and shares?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Is it a managed portfolio?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please let us have a copy of the latest valuation	
Stockbroker	Name:	
	Address:	
	Telephone:	
Location of certificates	<input type="checkbox"/> Stockbroker (as above) <input type="checkbox"/> Other If appropriate, please provide us with the original certificates.	
List of holdings	<i>Company</i>	<i>Number of shares and type</i>

National Savings

Please let us have the original certificates

Holder number:		
<i>Investment Type</i>	<i>Account Number</i>	<i>Value (£)</i>

Premium Bonds

Please let us have the original bonds.

Holder Number:		Amount (£):	
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Other Investments (Unit Trusts, OIEC's, Bonds, etc.)

<i>Company</i>	<i>Bond or Policy no.</i>	<i>Value (£)</i>

Pensions

<i>Name of Provider</i>	<i>Address</i>	<i>Pension Number</i>
Will any payments made under a pension scheme or personal pension policy continue after death?		<input type="checkbox"/> Yes <input type="checkbox"/> No
Will a lump sum be payable under a pension scheme/ personal pension policy as a result of the Deceased's death? (if yes, please give details in Section I: Additional Information)		<input type="checkbox"/> Yes <input type="checkbox"/> No
Have you contacted the Pension Service regarding any ongoing State Pension entitlement for the widow/widower? Also, if the Deceased held an occupational pension, has a widow's/widower's pension been applied for?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
Was the Deceased in receipt of:	State Pension?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Attendance Allowance?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Other benefit (please specify)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Has the Certificate of Registration of Death given to you when you registered the death been returned?		<input type="checkbox"/> Yes <input type="checkbox"/> No

Trusts

Was the Deceased at the time of death entitled to a life interest, annuity or other interest in possession in a settled property or a trust?

We will need to see copies of papers relevant to the Trust (copy of Trust Deed, accounts, tax returns, etc.). If we manage the day to day administration of the trust then you will not need to provide us with these papers.

Name of Trust	
Solicitor's name and address	
Trust income accrued and due	
Value of capital in trust	£ (estimated)
Names of Trustees	

Business Interests

Did the Deceased have a business? Was the Deceased a director of a company? Please give details here.

Company name	
Address	
Type of business	
Deceased's interest	
Value	£ (estimated)
Who prepares accounts for the business?	

Payments outside of the Estate

Please tell us about any payments made outside of the estate for Inheritance Tax purposes such as a death in service benefit or insurance policy written in trust.

Please provide us with any documentation or correspondence you have in this regard.

Other

Please provide details of any other asset held by the Deceased which have not already been detailed in the sections above (such as un-presented cheques, credits due to the estate, interests in other estates and loans made by the Deceased).

SECTION G: Gifts made within 7 years of death

Inheritance Tax is charged on the value of the Deceased's estate over the 'nil rate band' at the date of death, which will constitute the assets less any liabilities (funeral expenses, bills, mortgage etc). The nil rate band for 2013/14 is £325,000. The amount over is taxed at 40% unless the spouse or charitable exemption applies.

Inheritance Tax is also charged on certain lifetime gifts, which will be those where the donor dies within seven years after making them to the donee. These gifts are called 'Potentially Exempt Transfers' because no Inheritance Tax is chargeable at the time the gift is made. The transfer then becomes exempt if the donor survives seven years thereafter, but becomes chargeable for Inheritance Tax if the donor dies within that same period.

Therefore, it is important to disclose any gifts made by the Deceased in the last seven years in order to ascertain how much Inheritance Tax will be paid on those gifts. Fortunately, tapering relief may be available on these gifts which provide for a lower rate of Inheritance Tax depending on how long the donor survived after the gift was made. If the Deceased dies within seven years of the date that the gift is made Inheritance Tax is charged on any assets over the Inheritance Tax threshold as at the date of death on a sliding scale.

The concept of gifts is very wide and includes gifts of cash or other assets as well as transfers of value such as releasing a debt or selling an asset at less than its market value.

Did the Deceased receive any inheritance or gift in excess of £3,000 in the last 7 years? Yes No

Did the Deceased make any gifts or other transfers of value exceeding a total of £3,000 in any one tax year within 7 years of death other than to the Deceased's spouse? Yes No

For each gift, please provide the following details (continue in Section I: Additional Information if necessary):

<i>Date of Gift</i>	<i>What was the gift?</i>	<i>Value of gift at that date?</i>	<i>To whom was it given and relationship to Deceased?</i>

SECTION H: Liabilities

The Deceased's liabilities need to be taken into account to accurately calculate the value of the Estate. Therefore details of funeral expenses, unpaid utility bills, loans, mortgages and other charges should be listed.

You should note that once the death certificate has been registered with the asset holders then the accounts will effectively be 'frozen'. If utility companies collect their payments from an account in the Deceased's sole name then any direct debits in place will be cancelled and in some circumstances it may be appropriate to make alternative arrangements.

Funeral Expenses		Who is to pay or has paid
Please let us have invoices/receipts.		
Who are the funeral directors:	Name:	
	Address:	
	Estimate of charges:	
Memorial stone (estimate)		
Other funeral expenses	Funeral flowers	
	Funeral wake	
	Death certificates	
	Newspaper notices	
	Other (please specify)	

Household bills		Who is to pay or has paid
Please provide details of any debts and liabilities outstanding at the date of the Deceased's death. We recommend that meter readings are taken and submitted to the relevant supplier. It would be helpful to have copies of all the latest utility bills for our file.		
Please send us all bills that appear not to have been paid.		
	<i>Company/Supplier</i>	<i>Meter reading</i>
Gas		
Electricity		
Water		
Council Tax		
Telephone/internet		
Ground rent		
TV licence		
Mortgage		
Other (please state)		

Did the Deceased have any domestic or other staff? Yes No

Other Debts	
Please provide details of any other liability you are aware of, such as outstanding loans, credit cards or store cards, business debt, care home fees, gardeners fee etc. Give details here if the Deceased's acted as guarantor.	

Tax	
Please let us have a copy of the latest tax return together with the latest PAYE Coding Notice.	
Deceased's tax office	
Tax reference	
National Insurance no.	
Who will deal with Income Tax to the date of death?	<input type="checkbox"/> Archers Law <input type="checkbox"/> Other (please specify)
Are there any tax matters outstanding?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide details in Section I.

SECTION I: Additional Information

Would you like us to tell you more about protecting the Personal Representatives from personal liability? Yes No

Did the Deceased make a Power of Attorney? Yes No

If yes, had it been registered? Yes No

Where is the original document? Archers Law
 Other

Please use the space provided overleaf for any special instructions or information you feel may be relevant for the preparation of the Probate papers. Please also tell us here if the Deceased was maintaining anyone before their death (e.g. by making regular payments or allowing them to live in a property rent free).

Additional Information:

DECLARATION

IMPORTANT – We cannot act upon the information that you have provided in this questionnaire until this declaration has been signed.

Please note that as Personal Representatives you are under a duty to make the fullest enquiries that are reasonably practicable in the circumstances to find out the open market value of all items within the estate.

I/We certify that the information given in this form is true and complete and, to the best of our knowledge, correctly represents Deceased's estate (including all jointly held assets and relevant lifetime gifts as per section G) and is to be used as a basis for preparing the Probate application papers.

I/We understand that Archers Law may contact me/us to confirm my/our instructions.

This form was completed by me/us or on my/our behalf by

1st Personal Representative

Your signature: Date:.....

PRINT NAME:

2nd Personal Representative

Your signature: Date:.....

PRINT NAME:

3rd Personal Representative

Your signature: Date:.....

PRINT NAME:

4th Personal Representative

Your signature: Date:.....

PRINT NAME:

The above declaration is in addition to our Client Engagement Letter and Terms of Business which will be issued to you. We will use the information that you have provided as a basis for preparation of the relevant HM Revenue and Customs documentation and Probate Court papers.

Please return the completed questionnaire to:

Archers Law

78 New London Road

Chelmsford

Essex CM2 0PD

T: 01245 216888

**Get the
right legal
advice.**