



**Wills Estates
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HOW LONG DOES PROBATE TAKE IN THE UK - INFORMATION FOR CLIENTS

Walsh West Private Client Legal 2021

How long does probate take?

How long does it take to apply for a grant of probate with a will?

1-8 weeks

It can take anywhere between one week and a couple of months to apply for a grant of probate with a will. The amount of time it will take for you depends on a number of factors, including:

- Whether there's an inventory of assets included within the will
- The size and complexity of the estate
- How much you already know about the assets in the estate
- Whether you have the death certificate of the deceased person
- The time it takes your probate provider to prepare the application.

Before your application can be submitted, there are a number of steps you may need to follow, including:

- Using the government's Tell Us Once service
- Getting the property valued
- Looking through paperwork to find out where money is kept
- Speaking to banks, pension providers and other financial organisations to find out how much is in each account
- Gathering information about any debts or gifts given in the last seven years
- Finding out how much tax is owed

Once you've gathered all of these details in one place, you're ready to start your probate application. You can find out more about the information you need to apply for probate here.

How long does it take to apply for a grant of probate without a will?

1-8 weeks



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If the deceased person hasn't left a will, or their will cannot be found or verified, it usually takes somewhere between one and eight weeks to apply for a grant of probate without it. Usually, when the estate is in intestacy, it's a longer process.

If you're the spouse or civil partner of the person who died and already know a lot about the assets in their estate, your application could be prepared and sent to the probate registry within a couple of weeks.

However, if you need to search through paperwork, track down accounts, get property valued and find out about any debts, it could take a couple of months to get all the information together for your application.

Similarly, without a will, there will be no clear personal representative to administer the estate is. An application will need to be made to the probate registry for a grant of letters of administration.

How long does it take for a probate application to be approved?

3-6 weeks

Once your application has been submitted to the probate registry, it takes between 3-6 weeks for it to be approved – sometimes longer if the estate is particularly complex. Unfortunately, there isn't much that you or your probate solicitors can do to speed up this part of the process.

After your grant has been approved, it will be sent out in the post. You're then ready to start dealing with the estate.

How long does it take to deal with someone's estate?

3-6 months

It usually takes 3-6 months to sell off the probate property, close bank accounts and distribute the assets to any beneficiaries. Using a professional for full estate administration doesn't necessarily speed this process up, but it does help to take some of the weight off your shoulders.

Here are some of things you may need to do when administering the estate:

- Complete an inheritance tax return and pay any taxes due – such as inheritance tax, income tax or capital gains tax
- Put the house on the market and oversee the sale
- Close bank accounts and collect funds in one place
- Contact pension providers to access funds



- Claim on any life insurance policies
- Repay any outstanding debts owed by the deceased
- Distribute funds to the beneficiaries

How long does it take to get inheritance money after probate is granted?

1-6 months

It can take anywhere from 1-6 months to get inheritance money after probate has been granted.

If you're the executor or administrator of the estate and the main beneficiary, you could start receiving your inheritance as soon as you start closing accounts and gathering funds together.

However, if the inheritance needs to be shared between a number of beneficiaries named in the will, it's better to pool everything together in one place before distributing any funds. This usually means people need to wait a bit longer for their inheritance, but it makes things much more straightforward for you if you're administering the estate.

You can find more details on inheritance tax, including the current tax threshold and how to file your return, in our guide to inheritance tax.

How long is probate taking at the moment?

According to the probate registry, the current delay is around 4-6 weeks, taking the total processing time to 8-12 weeks. This has been caused by an increase in applications during the coronavirus pandemic.

However, our probate specialists have had many grants approved in less than 8 weeks during this time, so there's a good chance you won't have to wait the full 12 weeks.

How much does the probate process cost in the UK?

In most cases, probate costs somewhere between £1,500 and £5,000 in the UK. However, larger estates can easily cost upwards of £20,000. This is because different probate solicitors charge their clients in different ways. Some offer a fixed-price quote upfront, while more traditional providers tend to work on an hourly rate or percentage basis.

Another reason for the huge difference in price is the type of service you receive. Here, we'll cover the two main options available:

1. Grant-only service



If you're happy to sell property, close down bank accounts and distribute money in accordance with your loved one's will (or the rules of intestacy if there isn't a will), you could pay less by choosing a simple, grant-only service. This can usually be dealt with over the phone, email and post, so there's no need to visit a probate registry or swear an oath.

2. Full estate administration

If you're uncomfortable handling all the admin that comes with distributing the estate, or you feel like the estate is simply too complicated, you may choose to pay a probate solicitor to do this for you.

The fees for this can vary depending on the size and complexity of the estate, and how many assets need to be dealt with.

Why does probate take so long?

The short answer to why probate takes so long is, quite simply, ***because it's so complicated***. It involves a lot of research, a lot of back and forth with financial organisations, and some fairly unfriendly probate and tax forms.

In some cases, despite the best efforts of all parties involved, there might be a dispute about the estate and how it is divided. This is called contentious probate, which may result in the parties having to go to court with their solicitors.

But while there are some things you can't change (like the current backlog at the probate registry), there are a few ways you can speed up the probate process:

- Check if there's an inventory of assets with the will or stored with other important paperwork – this can make it much easier to track down old pensions, savings accounts, or any other additional asset
- If you can't find an inventory, search through paperwork as soon as you can to make a list of the assets within the deceased's estate
- If there's a will, track it down as soon as possible and make sure it isn't tampered with – this includes unbinding it or adding any markings
- If there isn't a will, you may need certificates to prove you're the right person to apply for probate, so it can be helpful to find copies in advance – e.g. birth certificates, death certificates, marriage certificates, divorce certificates (i.e. decree absolute). You should also familiarise yourself with the intestacy rules
- Contact financial organisations straight away to notify them of the death, and ask for confirmation of date of death valuations for all assets and debts
- Get the house valued as soon as possible – you can find out more about valuing assets for probate here



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- Don't apply for probate yourself unless you're comfortable with all the jargon – the smallest mistake could add months of delays at the probate registry
 - Choose a probate specialist who can guide you, prepare your probate application and submit it to the probate registry in good time
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For initial advice about Estate Planning including Lasting Powers of Attorney, Wills, Trusts and Probate; call our team on 0203 488 7503, 01992 236 110 or contact us by email at welcome@walshwestcca.com or via our website www.walshwestcca.com and we will help you.