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# How Much Will Probate Cost?



A COMPREHENSIVE GUIDE TO PROBATE  
FEES IN SINGAPORE

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If you have any questions, comments or feedback on this probate fee guide, please email [probatefeeguide@singaporelegaladvice.com](mailto:probatefeeguide@singaporelegaladvice.com).

Please note that as we are not a law firm, we are unable to provide you with legal advice for your specific situation.



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# Introduction

Losing someone you love is especially painful and difficult.

Having to deal with legal issues, such as probate and administration matters, in this time of grief can make an already distressing situation even tougher.

This guide provides an overview of the probate and administration procedures and the costs involved in hiring a lawyer to assist you.



In preparing this guide, we considered and weighed the responses of practising probate lawyers in small and medium-sized law firms to these 2 broad questions:

- How much do lawyers charge for probate work?
- How will lawyers bill you for probate work?

## Please Note That:

- This guide is intended to provide general information on probate law, procedure and fees. **It should not be taken as legal advice.** Please consult a lawyer for independent legal advice.
- While all effort has been made to ensure the accuracy of the information in this guide and any related links, the laws and procedures stated may have changed from the date this guide was published.
- The information on fees in this guide is based on the authors' research. **All fees stated should be considered estimates.**
- The meaning of technical terms used in this guide are explained in the **glossary** at the back of this guide. Terms which are not defined in the glossary have their ordinary English meaning.

# What is Probate and Administration?

Probate and administration refers to the process by which the court appoints a **personal representative** to administer a deceased person's estate.

The personal representative's responsibilities include paying off the deceased's debts from the estate, paying any ongoing expenses of the estate, and distributing the remainder of the estate amongst the persons entitled to a share of it, known as the **beneficiaries**.

A personal representative acquires the authority to act for the deceased through the **Letters of Representation (LOR)**.

# What are Letters of Representation (LOR)?

LOR is the collective name for legal documents known as the **Grant of Probate (GOP)** and **Letters of Administration (LOA)**.

Besides providing the personal representative with the authority to act for the deceased, these documents also act as proof of this authority.

Third-parties, such as banks or government agencies, require these documents before acting on any request, **such as accessing the deceased's bank account**.

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## ► Grant of Probate (GOP)

The GOP is usually applied for when someone passes away **with a will**. That person is said to have died testate and is known as a testator.

The testator's will would usually **have a list of assets to be distributed and identify a personal representative** to administer the estate. In a GOP, this personal representative is known as an **executor**.

An executor is required to apply for a GOP so that the court can validate their authority to administer the estate. It is only upon the GOP that the executor will be permitted to distribute the estate according to the will.

## ► Letters of Administration (LOA)

**LOAs are typically applied for** when someone passes away **without a will**. That person is said to have died intestate.

In certain situations, however, an LOA may need to be applied for even if the deceased had made a will. These include situations where the:

- Will did not name any executors;
- Executors named in the will cannot or do not wish to perform their duties;
- Executors have passed away; or
- Executors did not apply for a GOP.

In such cases requiring an LOA, the court will appoint a personal representative to administer the estate. In an LOA, this personal representative is known as an **administrator**.

The administrator's authority comes from the LOA issued by the court. They are responsible for distributing the deceased's assets according to the **rules in the Intestate Succession Act (ISA)**.

# How Do You Obtain the LOR?

Applying for LOR is a 2-stage process:

- The application itself; and
- The issuance of the LOR.



Before you apply for LOR, do note the following:

**1. You are advised to apply for the LOR within 6 months of the date of death.**

While there is no specific timeframe, you will need to explain to the court the reason for any delay.

**2. You will need to pay court fees for the application.** The court fees include the filing fees for the documents in your application. You can find a breakdown of the court filing fees in the section on disbursements below.

**3. The value of the estate determines which court you should apply to.**

For estates valued at S\$5 million and below, you will need to apply to the Family Justice Courts (FJC). If the estate is valued above S\$5 million, you will need to apply to the Family Division of the High Court.

**4. If you are applying for an LOA, you will need to determine who the administrator will be.** The order of priority for administrators is set out in the ISA. In descending order, these are the deceased's:

- Spouse
- Children
- Parents
- Siblings
- Nephews and nieces
- Grandparents
- Uncles and aunts



## ► Applying for the LOR

There are 2 sets of documents to be submitted:

- The main application; and
- The supporting documents 14 days after the main application has been submitted.

Do check out the [FJC's Probate and Administration Toolkit](#) for a more detailed overview of the application process.

### The main application

The main application includes the following documents:

#### ***Ex Parte* Originating Summons**

To file an *ex parte* originating summons, you will need to fill in [Form 48 in Appendix A of the Family Justice Courts Practice Directions \(FJCPD\)](#).

The court also requires that you search for objections to your application (known as caveats) and competing applications to administer the estate.

Competing applications are filed by those who also qualify as an administrator and thus wish to administer the estate.

You can perform this search at the [LawNet & CrimsonLogic Service Bureaus](#).

The results of this search must be endorsed and submitted via a Certificate Of Results of Caveat and Probate Application Searches [Form 52 of the FJCPD](#).

If a caveat or a competing application is found, you may want to read ahead to the section on contentious probate matters on what to do next.

## Statement in Form 51

The Originating Summons must be accompanied by a statement detailing the particulars of the deceased, the circumstances of the death, where the deceased was staying, and the estimated value of the estate.

This statement is submitted in **Form 51 of the FJCPD**.

## Death Certificate

A certified true copy of the deceased's Certificate of Registration of Death (i.e. Death Certificate) must be submitted to the court.

## The will (if there is one)

If there is a will, you must submit both the certified true copy and the original copy.

The certified true copy of the will is submitted with the main application, while the original copy must be submitted to the Probate Counter at the FJC by 4.30 pm the day after you submit the main application.



Both the original and certified true copy of the will should be accompanied by an English translation if they are not in English.

This translation must be done by a court-certified translator.

## Schedule of Assets

The Schedule of Assets can be found in [Form 226 of the FJCPD](#).

It contains details of all the deceased's assets and their estimated value.

This may require writing to banks, insurance companies, and government agencies for the required information.

However, if you do not have the complete list of assets at the time of submitting the main application, it can be submitted with the supporting documents later.

Do note that you are not required to submit documentary proof of the assets you list in the Schedule or their estimated value.

## The Supporting Documents

The supporting documents typically consist of the following:

- **The Administration Oath:** As the applicant, you will have to assure the court that you will settle the deceased's outstanding debts using the monies from his estate, and distribute the remainder accordingly. This is done by making an [Administration Oath in Form 54 of the FJCPD](#). Typically, your lawyer will prepare the Oath and have you sign it in the presence of a Commissioner for Oaths.
- **Supporting Affidavit:** An affidavit is a sworn statement of facts. This affidavit should contain your Statement in Form 51 that has been filed and accepted by the court, the certified true copy of the Death Certificate and the will (if any), and the Schedule of Assets.
- **Schedule of Assets:** This is required if you had not submitted the Schedule of Assets in the main application.

## ► Issuance of the LOR

The court may conduct a hearing to clarify aspects of your application. The court will inform you of the date and time if a hearing is required. However, if everything is in order, the court can issue you the LOR.

Before issuing the LOR, the court will require that you:

### **1. Obtain an Administration Bond and additional guarantors (if you had applied for an LOA)**

The court will require a bond from you as the administrator and, in certain cases, two other guarantors, to ensure that you properly administer the deceased's estate.

The value of the bond is not fixed and will depend on the value of the estate.

The two additional guarantors may be required to protect the interests of the beneficiaries and for added accountability in administering the estate where:

- The value of the estate is above S\$5 million;
- Some beneficiaries are minors (below 21 years old) or lack mental capacity;
- The applicant is a creditor of the deceased's debt; or
- The court deems this is required in any other circumstances.



However, guarantors can be hard to find. Thus, it is quite common to apply for a dispensation of guarantors from the court.

## **2. Extract the LOR**

Once the court is satisfied with your application, you need to request the court to issue the LOR. This is known as extracting the LOR.

However, you will need to do a final search for any caveats or competing LOR applications that may have been filed since you last checked.

The results must be submitted with your request for extraction.

If there are no caveats or competing LOR applications, the court will issue you the LOR after all the court fees have been paid.

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# What If There are Caveats and/or Competing Applications?

If there are caveats and/or competing applications, and you are not able to resolve the dispute amicably, the probate matter is said to have turned contentious.

This results in a probate action. Probate actions are actions contesting a probate application and usually start with caveats or citation proceedings.

## ► Caveats

Objections to your application for LOR are registered via caveats. Typically, you would check for caveats before you file your LOR application.

However, if a caveat was made after the application has been filed, the court registry will inform you.

Once you are aware of any caveats, you would have to negotiate with the caveator (the person who lodged the caveat) to have the caveat withdrawn.

The court will only issue the LOR if there are no caveats.

If you are not able to resolve the issue amicably, you may start warning proceedings against the caveator to object to the caveat.



The caveator must respond to the warning proceedings within 8 days. If there is no response, you can request the court to remove the caveat.

However, if the caveator responds, then he must justify the caveat.

If the court is satisfied with the justification, it may permit the caveat to remain until the probate action has been resolved at trial.

Otherwise, the court may order the caveat to be removed.

## ► Citation Proceedings

Citations are a notice for you to appear before the court for a specific purpose.

In contentious probate (where competing applications are filed), these purposes are usually to defend against someone who wants to prevent you from obtaining an LOR, or to defend against someone who wants to revoke the LOR already granted to you.

If you have been issued a citation, you will need to respond to it within 8 days.

If you are not able to resolve the matter amicably and the court is satisfied that the grounds for the citation are justified, the matter can go to trial.

The court will decide who will be granted LOR at the end of the trial.

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# How Long is the LOR Application Process?

A **GOP** can generally be obtained between **3 to 6 months** from the filing of the first court documents.

If all the information required for the Statement in Form 51 and the Schedule of Assets is readily available, the value of the estate can be determined easily, and there are no minor beneficiaries, the entire process can be as short as 3 to 4 months.

However, more time will be required if there are assets to be identified and valued, especially if these assets are located overseas.



On the other hand, **obtaining an LOA will generally take longer** due to the additional steps and corresponding effort involved. These include:

**1. Determining the value of the estate:** Without a will, an applicant may not know the extent of the deceased's estate.

The lawyer may need to write to various financial and government institutions to determine the deceased's assets.

This may include foreign institutions if the deceased's assets are located overseas.

This involves additional time and effort on the part of the lawyer.

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**2. Determining the administrators:** This will require looking for other family members with higher priority rights to renounce their rights as administrators and consent to you being the administrator.

Otherwise, the court may not allow you to apply for the LOA.

This involves additional paperwork. In contrast, a will would have named an executor and would not require the lawyer to persuade potential administrators to renounce their rights.

**3. Co-administrators may be required by the court:** This usually happens if there are minor beneficiaries in the LOA application. This means that the lawyer will need time to search for a willing co-administrator.



**4. Determining the beneficiaries:** LOAs would also need a lawyer to determine the beneficiaries and list them in the application. In contrast, a will would have already named the beneficiaries and would not require additional work from the lawyer.

**5. Guarantors and/or deputies may be required by the court:** The court will require guarantors to the estate if there are minor beneficiaries involved.

The court will also require deputies to be appointed for beneficiaries with special needs to make decisions on behalf of these beneficiaries.

This means additional time to look for suitable guarantors, to apply for a dispensation of the guarantor requirement and/or to apply for the appointment of a deputy.

**6. Additional documentation required:** There are more documents involved in an LOA application, which would require more time to complete.

# Do You Need a Lawyer to Handle Your Probate Matter?

The probate process can be complicated and tedious. A lawyer can help to simplify the entire process.

Usually, the standard services that a lawyer offers for a probate matter include:

- Locating and securing the assets of the deceased;
  - Obtaining the date of death values and appraisals of all the deceased's property;
  - Preparing and filing all documents required by the probate court;
  - Collecting the deceased's life insurance proceeds;
  - Advising on the payment of the deceased's outstanding debts; and
  - Settling disputes among the personal representatives and beneficiaries.
-

# What is the Cost of Non-Contentious Probate?

In general, the fees for a simple non-contentious probate matter can **range from about S\$2,000 to S\$6,500** depending on how a lawyer calculates his fees and the time required to complete the work.

Complex cases such as those with many assets or beneficiaries, or involve foreigners and/or overseas assets will also cost more.

LOA applications tend to cost more than GOP applications as well due to the additional work and effort required by the lawyers (as mentioned above).

The following table lists the estimated fees for non-contentious probate:

	<b>Fixed Fee</b>
<b>Non-contentious GOP</b>	<ul style="list-style-type: none"><li>• <b>For estates valued at S\$3m or less</b>, the fees may range from S\$2,000 to S\$2,500</li><li>• <b>For estates valued above S\$3m</b>, the fees may range from S\$2,500 to S\$5,000</li></ul>
<b>Non-contentious LOA</b>	<ul style="list-style-type: none"><li>• <b>For estates valued at S\$3m or less</b>, the fees may range from S\$2,500 to S\$3,000</li><li>• <b>For estates valued above S\$3m</b>, the fees may range from S\$2,500 to S\$6,500</li></ul>

*\*Do note that the fees above are before any additional services, disbursements, and taxes.*



A lawyer may also charge for additional services related to probate matters.

These services include:

- **Helping the personal representative with the distribution of assets.** This may involve additional documents such as writing a letter to all the beneficiaries informing them of their entitlement.

*This may cost an additional S\$1,000 or more.*

- **Handling complications during the probate process,** such as the **death of a beneficiary** or the inability to locate certain documents.

For LOA applications specifically, a lawyer may charge you the following additional services:

- **Request for dispensation of guarantors.** You can request to dispense with the requirement of additional guarantors.

*This may cost an additional S\$500 or more.*

- **Appointment of Deputies as required by the court.**

*This may cost an additional S\$4,000 or more.*



# What is the Cost of Contentious Probate?

The cost of contentious probate matters can **range from S\$10,000 to S\$40,000**. It can go even higher if the matter is an especially long or complex one.

This is because contentious probate is classified under civil litigation (i.e. lawsuits), resulting in civil litigation rates.

Legal fees for civil litigation are usually charged based on an hourly rate determined by individual firms.



Factors such as the size of the firm, the seniority of the lawyer, and the expertise of the law firm will influence this rate.

However, some firms do charge a fixed rate for each specific stage of litigation.

You can find out more in our article about [civil litigation fees](#).

# What are Disbursements? Do I Have to Pay Them?

Disbursements are fees that a lawyer pays on behalf of the client, and apply to both contentious and non-contentious probate matters. These fees include court filing fees, photocopying charges, courier costs, and other miscellaneous fees related to the work.

The table below lists the court filing fees you can expect in a probate matter for estates valued at S\$3m and below.

<b>Service provided</b>	<b>Estimated fee payable per document (S\$)</b>
Originating Summons	100
Statement in Form 51	15
Schedule of Assets	15
Certified True Copy of the Death Certificate	15
Certified True Copy of the Will	30
Renunciation	25
Document in support (if any)	15
Administration Oath	25
Supporting Affidavit	25
Schedule of Assets – Supplementary Affidavit	25
Request for Extraction (with printed grant)	80
Request for Certified True Copy of Grant and Schedule of Assets	50
Probate Application and Caveat Searches (when filing the Originating Summons)	20
Probate Application and Caveat Searches (when requesting for extraction)	30
Affirmation fees for Administration Oath, Supporting Affidavit	30

# How Will Lawyers Bill You for Probate Work?

Different lawyers and law firms have different billing practices. Some firms may require an **upfront payment of the full amount**.

Alternatively, some law firms may just ask for an **initial deposit**.

The exact deposit amount will vary between law firms. It can range between S\$1,000 to S\$1,500 or more.

**The remainder of the fees can be charged monthly or at key milestones**, such as after the LOR application has been filed or after the extraction of the LOR.

*Some firms may also work out a payment plan based on your financial ability.*

*Disbursements may be charged separately.*

*Usually, they are charged according to the key milestones mentioned earlier.*

# What If You Cannot Afford a Probate Lawyer?

Lawyers' probate fees are usually paid out of the deceased person's estate instead of being claimed from the personal representative.

However, if you feel that lawyers' probate fees are out of your price range, try these alternatives:

**1) Do it yourself:** The FJC has prepared a handy [Probate & Administration Toolkit](#).

It provides a step-by-step guide on filing your LOR and the fees that you may incur.

**2) Apply to the Public Trustee's Office (PTO):**  
The PTO is a government agency that can help administer the estates of deceased persons that do not exceed \$50,000.

Upon a successful application, the Public Trustee will make a declaration that he undertakes to administer the estate.

This will save you both time and money as you do not need to apply for an LOR yourself or hire a lawyer to help you.



Do note that the Public Trustee does not handle situations where:

- A LOR application has already been filed;
- There are conflicting claims to the estate;
- The estate has outstanding debts or liabilities;
- The deceased had shares in unlisted companies;
- The deceased was a partner, sole proprietor or had an interest in a business;
- The deceased was the sole lessee of an HDB flat and there are minor beneficiaries;
- The deceased had pending lawsuits;
- There are insurance policies with named beneficiaries;
- There are trust bank accounts opened with a child; or
- There are commercial vehicles listed in the deceased's assets.

You can apply to the Public Trustee [here](#).

The Public Trustee will usually take about 1 to 6 months to administer the estate.

The fee to be paid to the Public Trustee will depend on the value of the estate.

You can determine the fees based on the table below.

<b>Value of the Estate</b>	<b>Charge</b>
For the first S\$5,000	6.5%
For the next S\$2,000	6.0%
For the next S\$3,000	4.25%
For the next S\$10,000	2.75%
For the next S\$10,000	2.75%



**3) Obtain legal aid:** The Legal Aid Bureau can also help you with your probate matters.

Legal aid is not completely free, but a lawyer will be assigned to you to assist you with your LOR application at a subsidised rate.

The amount that you have to pay depends on the complexity of the case. Generally, it does not exceed S\$1,500, excluding disbursements.

To qualify for legal aid, you must be a Singapore citizen or Permanent Resident and pass both the Means and Merits Tests.

The Means Test requires:

- Your household's average per capital gross monthly income does not exceed \$950 during the 12 months before your application for legal aid;
- (If you own property) The annual value of your property does not exceed \$13,000; and
- Your total amount of savings and non-CPF investments do not exceed \$10,000 (or \$40,000 if you are 60 years old or older).

For the Merits Test, you will need to show that there is a good reason for your case and the chances of success are not too low.

Since the Bureau has the flexibility to grant aid for straightforward matters, such as uncontested probate matters, without referring to an external Legal Aid Board, it will also be quicker for applicants to find out whether they qualify for legal aid.

You can read our other article to find out more about the [Legal Aid Bureau](#).

**4) Obtain advice from legal clinics:** You can also receive free basic legal advice on your probate matter at one of the legal clinics in Singapore.

To find out more, please read our other article about [legal clinics](#).

# How to Choose a Probate Lawyer

A probate lawyer should be able to explain the probate process clearly and guide you through it. Here are some tips to help you find the right lawyer.

**1) Ask for recommendations:** If your extended family or friends have ever dealt with a probate matter, they may have good experiences with particular lawyers or firms.

The ones that left a good impression may provide you with a good initial pool of candidates.

You can also [search for probate lawyers online](#) and shortlist a few based on the good reviews they received.

**2) Talk to a few probate lawyers personally:** Next, you should meet these lawyers personally. This is a good way to find out more about the lawyers' different working styles and fee structures.

In deciding which lawyers to meet, you should consider the specific experience they have in handling probate matters.

You should also get a quotation to determine if they are within your price range.

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**3) Arrange a list of questions for the lawyers:** Arranging a list of questions will help you determine the depth of the lawyer's experience in probate matters.

You can consider the following questions:

- How many probate matters have you handled before?
- What are your fees for getting a GOP or LOA?
- How long will it take to get the GOP or LOA?
- What will I need to do during the probate process?

You may also want to ask questions specific to your situation. This will give you a feel of how different lawyers will handle your matter, and whether they can do so to your satisfaction.

The most important thing is for you to feel comfortable working with your chosen lawyer.



Probate and administration matters can get tedious and time-consuming and comes at a time when you are grieving the loss of a loved one.

At SingaporeLegalAdvice, we've partnered probate lawyers to assist individuals with applying for a GOP or an LOA.

**Get in touch with our probate lawyers** to find out how they can navigate you through the probate and administration process, and help you through this difficult time.

# Glossary

Term	Definition
Administer an estate	Administering an estate usually involves (1) the collection of the deceased's assets; (2) payment of the deceased's debts, other claims against him, and expenses; and (3) distributing the remainder of the estate among the beneficiaries.
Administration Oath	An oath undertaken by the applicant to faithfully administer the deceased's estate.
Administrator	A person appointed by the court to administer the deceased's estate when there is no valid will.
Affidavit	A statement of facts sworn before an officer who has authority to administer an oath (such as a Commissioner for Oaths).
Beneficiary	A person who receives assets or profits from an estate.
Caveat	A document that is filed in court to prevent the proposed personal representatives of a deceased person's estate from getting permission to administer the estate.
Citation	A notice calling on a person to appear in court for a specific purpose. In probate, the citation can be to accept or refuse a grant, to extract the probate, to show the authenticity of the will, to defend against someone who objects to you being a personal representative, or to defend against someone seeking to revoke an LOR.
Commissioner for Oaths	Lawyers, court interpreters, officers in the employment of government ministries, departments, statutory boards, government-linked companies and employees of designated non-profit organisations who are considered fit and proper persons to be appointed to administer oaths.

# Glossary

<b>Term</b>	<b>Definition</b>
Contentious probate	A probate matter where there is a contest for the administration of the deceased's estate.
Date of death value	The value of the deceased's asset at the date of death.
Disbursements	Fees that a lawyer pays on behalf of the client. These fees include court filing fees, photocopying charges, courier costs, and other miscellaneous fees related to the work.
Estate	The total of all types of property left behind by the deceased.
Executor	A person named in the deceased's will to administer his estate upon his death.
<i>Ex parte</i>	Latin for "for one party". Refers to motions, hearings or orders granted on the request of and for the benefit of one party only.
Extract a grant	A request for the court to issue the Letters of Representation.
Grant of Letters of Administration	A document issued by a court appointing an administrator for the estate of the deceased.
Grant of Probate	A document validating that an executor named in the will has the authority to administer the estate of the deceased.
Intestate	The situation when a person dies without a will.
Letters of Representation	Collective term for both the Grant of Probate and Letters of Administration.
Minor beneficiary	A beneficiary under 21 years of age.

# Glossary

<b>Term</b>	<b>Definition</b>
Non-contentious probate	A probate matter where there is no contest for the administration of the deceased's estate.
Personal representative	A person who is formally appointed and acknowledged by the court to deal with a deceased person's assets. This includes both executors and administrators.
Probate action	Any contentious action in a probate matter, or for the revocation of a grant of a Letters of Representation, or to determine the validity of a will.
Probate and administration	The process by which the court appoints or recognises a person to deal with a deceased person's estate.
Schedule of Assets	A document that details the deceased's assets and their estimated value.
Testate	The situation when a person dies with a will.
Testator	A person who makes a will.