More about us

For nearly 50 years, we've been trusted to deliver specialist legal advice and services to the Orpington community and beyond.

Our combination of extensive experience and a truly personal approach sets us apart. We're known for being approachable, practical, and understanding – qualities that make complex legal matters easier for you.

Our work is done by people, for people. Whatever your legal needs, our solicitors are here to listen, guide, and provide solutions that work.

But don't just take our word for it...

"You have been utterly brilliant when we needed you most."

"Wonderful and understanding. Guided me through the process and presented all the options in a way I could understand."

"Extremely helpful and efficient. Service provided was faultless from start to finish."

"Been a customer for years. Wouldn't go anywhere else."

"Informative, patient, understanding and most helpful."

"Knowledgeable and efficient. You provided helpful and practical advice. A pleasure to deal with." "In this day and age of impersonal internet services, we feel lucky to have dealt with a firm which operates at the human level."

What else can we help you with?

We are here to help with:

- Buying & Selling a Property
- Dispute Resolution
- Personal Injury
- Family & Children
- Employment Law
- Mediation
- Powers of Attorney
- Probate
- Contested Probate
- Wills
- Business Law
- Court of Protection

It is important to note that this guide is not a full statement of the law. The information in this leaflet is of a general nature and may not reflect your individual circumstances. You should receive individual advice before taking any action.

www.thomasdunton.co.uk

THOMAS DUNTON SOLICITORS

Accredited LEXCEL Practice Management Standard – The Law Society

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Association of Personal Injury Lawyers – apil – Accredited Practice

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THOMAS DUNTON SOLICITORS

Your guide to

What is Probate?

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What is probate?

The legal and financial process of dealing with someone's estate (their money, property, shares and personal possessions) after they die.

Is probate always needed?

Probate is generally needed if the deceased owned significant assets in their sole name. If assets were jointly owned or below a certain value, probate may not be necessary.

You should contact the financial organisations used by the deceased (i.e. their bank and mortgage company) to see if probate is required to access their assets.

Who can apply for probate?

If there is a will, the executors named in it can apply. If not, the estate is handled under the rules of intestacy. The rules on who can apply for a grant in this case are set out by law – broadly, this is one or more of the closest living relatives.

If you are entitled to administer the estate, but want someone else to do so for you, you may be able to appoint an attorney solely for this purpose.

Before applying for probate, you must also find out if you are required to pay inheritance tax.

For more information, email **wills@thomasdunton.co.uk**, call us on **01689 822554**, or visit our website at **www.thomasdunton.co.uk**

Don't leave legal issues too late: seek advice at the earliest stage.

What does probate allow you to do?

Probate gives you the legal permission to access bank accounts, sell or transfer property, pay debts and taxes, and distribute assets to beneficiaries.

Is the process straightforward?

The process can be fairly straightforward if:

- The estate is small
- There is a valid will and no one is contesting it
- The deceased had no property or only jointly owned property
- The other assets are all cash savings
- There is no tax to pay and there were no lifetime gifts
- There are few beneficiaries, and everyone gets along.

It becomes more complicated if the estate is larger or includes a property, there is a trust established by the will, or there is no will, or it is unclear, lost, or being challenged. Likewise, if there are foreign assets to consider (e.g. a holiday home abroad), debts or inheritance tax to pay, disputes between family members or beneficiaries, or the executor is not familiar with the probate process and possible pitfalls, it may also be less straightforward.

Do I need a solicitor?

It is legal and possible to do it yourself – especially for simple estates. But, the process can quickly become complex, and professional guidance can save you time, stress and potential mistakes.

Our solicitors are highly trained in the probate process and have a broad understanding of related areas of law that may affect your situation. Their experience means they can anticipate issues you may not be aware of and take steps to prevent problems before they arise. We are fully insured and regulated, giving you the reassurance that your interests are protected and that safeguards are in place should anything go wrong.

How long does probate take?

If there is no tax to pay, obtaining a grant can take only a few weeks, once the assets have been identified and formal date-of-death balances obtained. If the estate is taxable, the process is longer. The time taken to administer the estate once probate has been granted largely depends on the assets involved – if there is a property, for example, the time required will be affected by how quickly the property sells.

Why Thomas Dunton Solicitors LLP?

We pride ourselves in delivering professional and personalised advice in a clear and compassionate way.

Above all else, we only ever have your best interests at heart. This, we hope, will help you feel supported during what can often be a very difficult time.



Not ready to instruct a solicitor, but need specific legal advice or general guidance?

We offer an initial hour long, fixed fee meeting with one of our experienced probate solicitors. If you choose to instruct Thomas Dunton after this meeting, the fee will be credited towards the time estimate or fixed fee provided. Contact us directly for details.