



What do I do when

---

# Someone has died

Proud to support



Corporate member of  
Plain English Campaign  
Committed to clearer communication

---

501



Quality  
Solicitors

"You just don't know if a law firm is any good until it's too late! I started the QualitySolicitors legal brand after having a terrible experience of using a lawyer myself. Even though I'm a barrister, I didn't know who to choose when it came to my own legal issues. In the end, I chose badly - my lawyer never kept me updated and hardly ever returned my calls. The stress it caused was awful. Sadly, that experience is all too common.

Using a QualitySolicitors firm is like having a lawyer recommended to you by hundreds of trusted friends. That's because we only select firms to become part of QualitySolicitors that have consistently excellent feedback from their clients. I am certain that by choosing QualitySolicitors to represent you, you will have a much better experience than I did with my lawyer!"



**Craig Holt**

Chief Executive  
QualitySolicitors

# What is QualitySolicitors?

QualitySolicitors is a national legal service with branches all across the UK. QualitySolicitors is made up of many of the UK's best law firms who have come together to create a national legal brand.

Before they can join, law firms are chosen from fierce local competition. Only the best firms are selected to become part of QualitySolicitors - based on what you, the public, tell us about them.

QualitySolicitors is delighted to be a member of the Institute of Customer Service. We are determined to improve standards of customer service in the legal market. Everything we do is designed to make life easier and less stressful for you when dealing with legal matters. Our aim is to drag the legal profession into the 21st century!

Our lawyers are experts in their legal areas but, unlike some, don't believe they have to use complicated legal jargon to prove how good they are. That's why QualitySolicitors are proud members of the Plain English Campaign.



## Why use QualitySolicitors when someone has died?

QualitySolicitors aim to provide the very best in customer service. With locations throughout the UK, we combine the strength and expertise of a national brand with the convenience of a local service.

### Expert lawyers...

QualitySolicitors' probate lawyers are specialists experienced in resolving matters efficiently and sympathetically.

...providing the best service

## All QualitySolicitors offer the following key promises:

### 1. Free First Consultation

Most people don't use a lawyer very often. We know it can sometimes be a worrying and unknown process. Call us or pay a visit to your local QualitySolicitors branch – all at no cost. You'll find friendly staff who genuinely want to help you with whatever your legal issue is.

Your Free First Consultation is your chance to tell us a bit about your legal issue, ask any questions you have and decide whether QualitySolicitors feels right for you. No question is too stupid and it is all completely without obligation. At QualitySolicitors, there is no need to worry about being charged the moment you step through the door!

### 2. Same-day response

You're busy. You don't want to wait around for days for someone to get in touch or update you on your case. Call or email us and you'll get a response the very same day.

### 3. No hidden costs

With QualitySolicitors you will always be kept informed of any charges in a clear and easily understandable way right from the outset. From our popular "Ask the Legal Expert" fixed price legal consultation to many of our other legal services, we also offer a wide range of fixed fee services. With this promise, we can ensure there are no nasty surprises when it comes to any fees.

### 4. Direct lawyer contact

If you instruct us you will want to speak with the actual lawyer running your case. Just pick up the phone. At QualitySolicitors you will not be left feeling fobbed off or having to press 1 for customer service, 2 for accounts, 3 for ...zzzzzz...



## Why should I use QualitySolicitors?

Dealing with the distress of the death of a loved one is difficult enough without the added task of trying to sort out their affairs at the same time. QualitySolicitors understand this and are experienced in helping people at this very difficult time. We believe no-one in the entire legal market is more passionate than us about providing the very highest levels of customer service and never is this more important than following a death. Our specialist lawyers understand that their legal expertise is just half of the equation and that taking care to ensure the service they provide is as good as their legal ability is equally important.



## What will happen after I make contact?

The process starts with a **Free First Consultation**, by phone or in person. A friendly and sympathetic legal assistant will discuss with you how we can support you at this difficult time. You will have an opportunity to ask any questions and get a feel of whether QualitySolicitors is right for you without any charge or obligation.

The legal assistant will take some initial information which will allow one of our expert lawyers to make contact with you. The expert lawyer who works with you will be someone who you can rely on at this difficult time. They will be able to guide you through all the legal procedures following a death. Your lawyer will be experienced in managing Estates and dealing with funeral directors, banks and other financial institutions, utility companies and all the other matters that need to be sorted out. They will also be able to deal with tax issues and the Probate court. They will try and take as much of the burden off you as possible.

Where property or investments need to be valued, transferred or sold then we can help with all of these services.

We'll keep you informed and updated throughout by whatever method suits you best – phone, email, text and letters. You will never be left in the dark (thanks to our **'Same Day Response'**) or be made to feel like your requests for updates are an inconvenience. With QualitySolicitors, you'll feel supported with a clear service: plain English and good communication.



## Ok. Sounds good but what will it cost?

All QualitySolicitors offer a **Free First Consultation**. The legal assistant helping you will then arrange a call back (at a time convenient to you) from a lawyer with the relevant specialist knowledge. This will enable us to let you know which legal services will best meet your needs and aims. Our lawyers will ensure that you are given clear, straightforward information about the cost of trusting your legal affairs to QualitySolicitors.

If, at this stage, all you require is a one to one advice session with a specialist lawyer then we can offer our popular fixed price '**Ask the Legal Expert**' service to you.



## Could I get it cheaper somewhere else?

Of course – although beware of hidden costs which often exist in this field. QualitySolicitors' service is excellent value, with the promise of No Hidden Costs. There is always a cheaper option for everything and legal services are no different. Not all law firms are like QualitySolicitors and if a high quality service and quality of advice matter to you then QualitySolicitors is for you.



## Do I even need a lawyer?

Take advantage of our **Free First Consultation** service to find out how QualitySolicitors can help you and what things you might be able to do yourself. In very straightforward circumstances with few assets you may benefit from a one-off Ask the Legal Expert session for some guidance on what you need to do. In more complicated cases you are more likely to want to involve QualitySolicitors throughout. Each case and the level of involvement of the lawyer depends very much on the individual circumstances involved.

## Jargon explained

At QualitySolicitors we believe that good advice involves our lawyers using clear, plain English. However when someone dies you will often have to deal with many organisations that still use jargon – so this guide should help:

Legal jargon	Plain English
<b>Administer</b>	Sort out/manage.
<b>Administrator</b>	Person (usually a close relative) who takes legal responsibility for sorting out the affairs of someone who died without making a Will
<b>Assets</b>	The property, possessions and money owned by the person who died
<b>Beneficiary</b>	Person receiving a benefit/gift from the person who died
<b>Bereavement</b>	Grief following death
<b>Capacity</b>	Ability
<b>Codicil</b>	Addition to a Will
<b>Deceased</b>	The person who has died
<b>Domicile</b>	The place where you live for tax purposes
<b>Estate</b>	The property, possessions and money of the person who died
<b>Executor</b>	Person or law firm appointed in a Will to take legal responsibility for sorting out matters when the person dies
<b>Intestacy</b>	The rules that apply when someone dies without leaving a will
<b>Liability</b>	Legal responsibility
<b>Probate</b>	The legal process of proving a Will is valid and then sorting out the affairs (Estate) of the person who died
<b>Sibling</b>	Brother/sister
<b>Spouse</b>	Husband/wife
<b>Testator</b>	Man who made a will
<b>Testatrix</b>	Woman who made a will
<b>Trustee</b>	Someone appointed to look after property for the benefit of someone else



## Someone has died. What do I do?

It can be overwhelming. When someone close to you dies you may be struggling to cope with your grief. However, at the same time you know that you need to make important decisions. Some of the steps below are matters that you will want to deal with yourself, others you will want to get the assistance of QualitySolicitors with.

- 1 Find the last Will:**  
If the person who died left a Will it can usually be found amongst their personal belongings and papers (at home, with their solicitor or bank). Alternatively, they may have asked a close relative or friend to take responsibility when they died (as Executor) and they may know where the Will is stored. If there is a Will, the first thing to check is for any special requests in relation to the funeral arrangements.
- 2 Take legal responsibility:**  
If there is a Will, there will be named Executors who have legal authority to deal with sorting out the Estate (property, possessions and money) of the person who died.  
  
Where there is no Will the law sets out how the property, possessions and money will be distributed and usually the nearest relative takes legal responsibility becoming the Administrator.  
  
Whether or not there is a Will, the person taking legal responsibility will be held personally liable in law if the Estate is not dealt with properly. Our lawyers can help with this. Taking legal advice is strongly recommended.
- 3 Register the death:**  
Death should normally be registered by the person taking legal responsibility within five days of the death. Contact the Registrar of Births, Marriages and Deaths for the local area (details can be found in the Phone Book). They will help with the process.

# Someone has died.

## What do I do?

### 4 Report a suspicious death:

Are you concerned about the circumstances of the death? Perhaps you believe that someone else may have been to blame? Then you should ensure that the “wrongful death” is reported to the Coroner for the area where the person died. The appropriate Coroner can be found at [www.coronersociety.org.uk](http://www.coronersociety.org.uk).

The Coroner is the independent person with responsibility for investigating the cause of any sudden, unexpected or violent death. They work closely with the police and the Health & Safety Executive. They also have the power to arrange an independent medical examination (post mortem) before the body is released for the funeral.

Those left behind may be entitled to bring a claim for their grief, funeral costs and expenses and the long term loss of the financial support and other help and support they would have expected to have continued to receive from the person who died. We would strongly recommend taking legal advice using our **Free First Consultation** service.

### 5 Arrange the funeral:

This is usually arranged by the person taking legal responsibility (having checked any requests in the Will). Local funeral directors will help with issues such as the service, floral tributes, making arrangements for burial or cremation, newspaper announcements, arranging a reception or wake (including catering). After a burial they can give advice on a headstone.

The person making the arrangements will be responsible for the costs but where the person who died left sufficient money these costs will be met by the Estate. You will not normally have to pay these costs from your own pocket and await reimbursement. The funeral director’s bill can be produced to the bank or building society where the person who died had an account and as long as there is enough in the account the bank will often pay the funeral director direct.



## **6** Notify official organisations that the person has died:

- 6.1 Let their employer know. Ask them to notify the Tax Office and see if there was any “death in service” benefit that is now payable.
- 6.2 If they were self-employed notify their Tax Office and National Insurance Contribution office.
- 6.3 If they had a mortgage, notify the mortgage provider and check if there is a life insurance policy (to pay off the balance of the mortgage).
- 6.4 If they were renting notify their landlord or local authority.
- 6.5 Notify all their banks and building societies, credit card and store card companies.
- 6.6 Notify their GP, dentist and any other treatment or care providers.
- 6.7 Notify pension companies, insurers and utilities companies.
- 6.8 Finally, the UK Passport Agency and Driving and Vehicle Licensing Authority will need to be notified.

# Frequently Asked Questions

## **I had not realised how much was involved, how long does it all take?**

Most small estates can be dealt within a few months. If it is complicated, particularly if there are foreign assets or problems with tax, it can take longer. We will give you a clear estimate at the beginning with updates if matters become more complicated than at first thought.

## **What happens with gifts to children?**

Where the Will or Intestacy Rules result in a gift to children who are under 18 a Trustee will usually need to be appointed. The Trustee will manage and protect the gift on their behalf. They will do this until they reach 18 (or older where an older age is specified in the Will).

## **What happens if the person who died lived abroad, or if they owned property or other possessions in another country?**

Foreign rules as to who benefits can be very different from our own. There may also be a separate Will covering those foreign assets.

Where necessary your lawyer will work with foreign lawyers to protect the property and ensure it is dealt with in accordance with the applicable law.

## **What do we do if we can't find the original Will?**

Your lawyer will work with you to try to compile satisfactory evidence to produce to the Probate Court to prove what the Will said. Evidence will also be needed to prove that the Will was signed. If happy with the evidence, the Court will still grant Probate allowing the Will to be followed.



### What if we don't want the executor named in the Will?

If the Executor appointed in the Will is inappropriate – for example a bank, which can often be very expensive – then, if there is only a small Estate, they can often be persuaded not to act. If so, they will 'renounce probate'.

You might want to obtain specific advice on this using our fixed price **Ask the Expert** service where an expert lawyer can advise whether this should be possible in the particular circumstances - with guidance on what steps you should take.

### When is Inheritance Tax payable?

Generally the tax is payable where the total value of the Estate (property, possessions and money) is over the minimum Tax-Free figure.

There are exceptions. Gifts to your husband/wife or civil partner are tax-free. Also if your husband/wife/civil partner died before you any unused tax-free allowance can be passed on to the surviving partner so as to reduce the tax when they die. There are also special rules covering gifts to charity which can reduce the amount of tax.

Some Inheritance Tax has to be paid before Probate is granted, which can lead to problems. Your lawyer will be able to discuss options such as arranging a bank loan, or advancing money from the Estate to pay for this.

## What if the Will or Rules of Intestacy are unfair?

It is possible for certain people to challenge the amount they will receive under a Will or (if there is no Will) the Intestacy Rules. This is on the basis that it is insufficient to meet their needs and doesn't reflect the obligations and responsibilities the person who died had towards them.

This is a specialist area of law where QualitySolicitors have legal experts who could help you.

Whether you are the person who wants to challenge what will be received or whether you are an Executor or Administrator (with legal responsibility for sorting out the Estate) facing a challenge, it is recommended that you take legal advice.

The challenge is made under the Inheritance Act 1975 and must be made no later than six months from the date of the Grant of Probate.

Such disputes can often be resolved by agreement but if not will need to be considered by the Court. Either way you will need to take legal advice swiftly to ensure that your position is protected.

Additionally, a Will can be challenged on the basis that the person who made the Will did not have the necessary mental capacity to understand what they were doing when they made their Will. Again, specialist legal advice is recommended to assess whether there is likely to be sufficient evidence to show that the Will should not be followed.

If you are thinking of making a challenge – or needing to defend against one – the best starting point is to contact QualitySolicitors and arrange a **Free First Consultation** where you can share information and ask questions about our service.



## Ask the Legal Expert Session

It may be that you are not sure whether you need help to sort out the Estate of the person who died. Perhaps you would just like some one-off advice on some issues concerning an Estate you're administering, or which someone else is administering. Alternatively you may wish to receive initial guidance on challenging a Will.

We offer a popular service of a focused 45 minutes with a specialist lawyer for a special fixed price. The first step is your Free First Consultation where one of our legal assistants will take the basic information our expert lawyers will need to help you. This can include you providing a list of the questions you would like to discuss.

If it sounds as though this is the service that is right for you the lawyer will give you more details when calling you back. The lawyer will also ask you to bring any relevant paperwork to the 45 minute Session.



## Ok. I definitely want QualitySolicitors to help me. What now?

Whether you are ready to instruct us to administer the Estate or would just like to book a fixed price Ask the Legal Expert session, just phone or call into your local QualitySolicitors, or visit our website so that we can get things started for you with the Free First Consultation.

At the Free First Consultation our friendly legal assistants will put you at ease. As well as taking your basic details they will also discuss with you what you are aiming to achieve. If you would prefer to set out this information yourself, they will be able to direct you to our online 15 minute Fact Finder Form. This first consultation is at no charge and with no obligation.

We will then arrange for you to be called back (at a time convenient to you) by one of our expert Probate lawyers. At QualitySolicitors we think it is really important for you to find the lawyer that is right for you. This is your chance to find out more. The lawyer calling you back will only be too happy to answer any questions you have about the legal process, our service and legal costs. Again we make no charge for this call and it is entirely without obligation – as we want our clients to be happy with their choice of lawyer.





**QualitySolicitors**

[www.qualitysolicitors.com](http://www.qualitysolicitors.com)

**0845 50 50 025**





For further information contact us on:


---

Telephone 0845 50 50 025

Email [info@qualitysolicitors.com](mailto:info@qualitysolicitors.com)

Website [www.qualitysolicitors.com](http://www.qualitysolicitors.com)

 [www.twitter.com/Qual\\_Solicitors](http://www.twitter.com/Qual_Solicitors)

 [QualitySolicitors](https://www.facebook.com/QualitySolicitors)