

Your Legal Questions

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Q My father died leaving a Will and my sister who tells me that she is the Executor will not tell me anything about the estate or who is due to receive anything under the Will. Is there anything I can do about this?

A As an executor your sister must follow certain rules and conditions imposed upon her. One of these rules is that anyone who is entitled to receive anything under the terms of a Will has permission to view the content of it, after the person has died. If you are therefore due to receive something from your father's estate under the terms of his Will you are entitled to see the Will.

If you are unable to find out whether you are entitled to anything under the terms of the Will then you may have to wait until your sister obtains a Grant of Probate for the estate. Your sister will be unable to do anything with your father's property until this document has been obtained by her. Once the Grant of Probate has been obtained the Will becomes a public document and anyone is entitled to request a copy of it from the Probate Registry. There is a fee for this service which is currently £6.

It is possible to automatically receive a copy of the Will when your sister applies for the Grant of Probate. To do this you will need to do a 'standing search'. This requires a short one page form being completed which contains both the deceased's details and your own. Again there is a fee for this service which at present is £6. Once this form is lodged with the Probate Registry they will automatically send you a copy of the Will as soon as your sister applies for the Grant of Probate.

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