

Small Estate Application Form

Letters of Administration (No Will)



Things to know before completing this form.

A small estate application is when an applicant uses the Probate Office's **optional** service to assist them in applying for a grant of representation. The small estates optional service will only be available for **straight-forward** matters and is not available for more complex application types such as ones made by a power of attorney or by an unregistered domestic partner. The complexity of the application will be assessed on a case-by-case basis once the small estate application form has been completed and emailed to the Probate Office.

If the application is one which is deemed straight-forward, for a fee, the Probate Office will prepare the paperwork to apply for a grant of representation on the applicant's behalf, called the small estates optional service.

Before completing this form, you should read the information about small estate applications available on the [Supreme Court Website](#).

An estate is small if a person's assets at their date of death are below the value set by government. The current and previous values set by government are available on the [Supreme Court Website](#) or by contacting the Probate Office.

Contact the Probate Office by phone on (03) 8600 2006 if you need the Probate Office to send you a hard copy of the application form.

What you need to complete this form

You require the following to make a small estate application:

- a certified copy of the deceased's death certificate and;
- details and the location and address of the assets and liabilities of the deceased as at the date of their death (such as bank account details).

You will also need to complete a [small estate credit card authorisation form](#) to pay the fees. You can phone the Probate Office on (03) 8600 2006 to request a hard copy of the form.

What to do once you have completed both the small estate application form and small estate credit card authorisation form

Once you have completed the small estate application form and the small estate credit card authorisation form, email them along with a certified copy of the death certificate to smallestates@supcourt.vic.gov.au.

Alternatively, you can post the completed forms along with a certified copy of the death to:

Registrar of Probates,
Supreme Court of Victoria,
PO Box 13331,
Law Courts, VICTORIA, 8010.

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Section 1 - Your details

Surname:	
First name:	
Middle name (s):	
Address:	
Email address:	
Phone number:	
Occupation:	

How are you eligible to make this application?

The deceased left no will and I am the next of kin entitled to share in the estate (See the hierarchy of relationships at Appendix A before completing this question.)

Section 2 – Deceased’s details

Surname:	
First Name:	
Middle Name (s):	
Last residential address:	
Last known occupation:	
Date of death:	

Was the deceased domiciled in Victoria as at the date of their death? To be domiciled in Victoria the deceased must have intended Victoria to be their permanent home.

YES NO

If the deceased did not domicile in Victoria as at the date of their death, the small estate optional service may not be able to assist. Please contact us to discuss your application further.

Section 3 – Relationship details

What is your relationship to the deceased? (i.e. spouse, child, parent)



Section 3 – Relationship details (continued)

Relationship to deceased:	
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Are you the closest living next of kin of the deceased? (See the hierarchy of relationships at Appendix A before completing this question. If the deceased left anyone surviving who had a relationship with the deceased above you on the hierarchy, then answer no.)

YES NO

If you have answered no to the above question the Probate Office cannot assist with your application. Please contact us to discuss your application further.

Please tick the option which best describes the marital status of the deceased at the date of their death:

- The deceased was married
- The deceased was never married
- The deceased was divorced
- The deceased was a widow/widower

If the deceased was divorced, include the date the marriage legally ended:

Date marriage legally ended:	
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The small estates optional service may only assist with your application if you have the **full date the marriage legally ended.**

Was the deceased in a registered or unregistered domestic relationship at the date of death? A domestic partner is someone who the deceased was not married to but was living together with the deceased as a couple on a genuine domestic basis at the date of their death. See the *Relationships Act 2008* for more details if required.

A spouse is not a registered/unregistered domestic partner or registered caring partner.

Please tick the most appropriate option below:

- The deceased had an unregistered domestic partner
- The deceased had a registered domestic partner
- The deceased had a registered caring partner
- The deceased did not have a domestic partner or registered caring partner



Section 3 – Relationship details (continued)

If you have selected that the deceased had an unregistered domestic partner or registered caring partner as at the date of their death, the small estates optional service cannot assist. You will be required to either complete the application yourself or instruct a solicitor to act on your behalf. Additional evidence will be required to be filed with your application to establish the domestic relationship.

The small estates optional service is unable to assist with the preparation of affidavit(s) evidencing the domestic relationship.

Are there any other people entitled to share in the estate of the deceased?
YES NO UNSURE

If you are unsure, the Probate Office will ask a series of questions via telephone to determine whether there may be other persons legally entitled to share in the estate of the deceased.

If you answered yes to the above question, please include the details of those persons below:

Name: Relationship to deceased:	
Name: Relationship to deceased:	
Name: Relationship to deceased:	
Name: Relationship to deceased:	
Name: Relationship to deceased:	

Are all the persons who are entitled to share in the estate of the deceased 18 years or older and capable of managing their own affairs? YES NO

If you have answered no to the above question the Probate Office cannot assist with your application. Please contact us to discuss your application further.

Section 4 – Deceased’s assets and liabilities

Did the deceased leave assets in Victoria? YES NO

If you have answered no to the above question the Probate Office cannot assist with your application. Please contact us to discuss your application further.

Did the deceased hold assets in any other names? YES NO



Section 4 – Deceased’s assets and liabilities (continued)

If you answered yes above, provide the details of the other name below:

Surname:	
First Name:	
Middle Name (s):	

ASSETS OF THE DECEASED

In the space provided below list each of the known assets of the deceased.

TYPE OF ASSET: In the ‘Type of asset’ column specify what type of asset it is (e.g. bank account, accommodation bond refund, motor vehicle).

DETAILS OF ASSET: In the ‘Details of asset’ column provide details relevant to that type of asset, including address details (e.g. for a bank account you would provide the name of the bank, the branch the account is held, the BSB and Account numbers, for a motor vehicle you would provide the make, model, year and state of registration).

VALUE: In the ‘Value’ column include the monetary value of the asset at the date of death of the deceased (for some items, such as a motor vehicle it would be appropriate to include an estimated value).

The description, location and address of all assets must be included.

Only include assets that are solely in the deceased’s name or assets which the deceased held as a tenant in common as at the date of their death.

Type of asset	Details of asset	Value

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Section 4 – Deceased’s assets and liabilities (continued)

LIABILITIES OF THE DECEASED

In the space provided below list each of the known liabilities of the deceased at the date of death.

TYPE OF LIABILITY: In the ‘Type of liability’ column specify what it is (e.g. credit card, mortgage, personal loan, household bill).

DETAILS OF LIABILITY: In the ‘Details of liability’ column provide details relevant to that liability (e.g. for a mortgage you would provide the name of the bank, the branch the account is held, the BSB and Account numbers, for a household bill you would provide details of who has issued the bill).

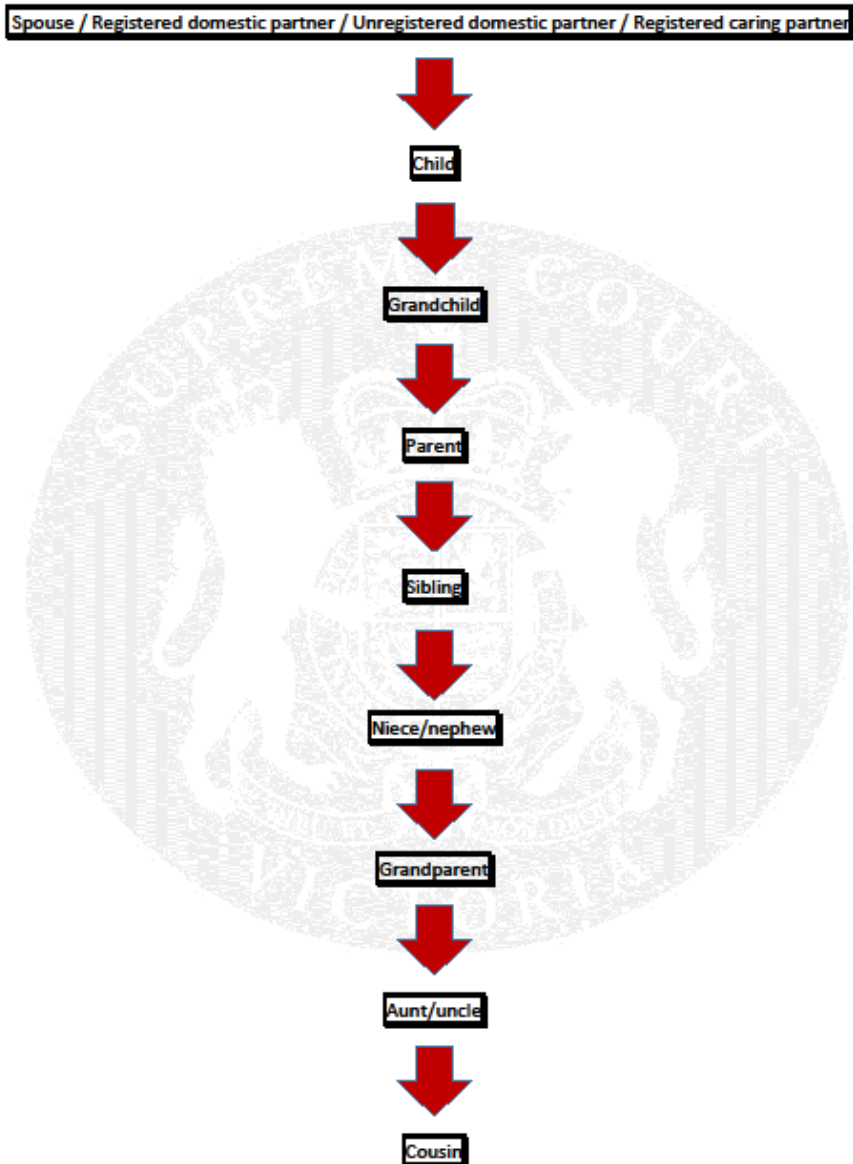
VALUE: In the ‘Value’ column include the monetary value of the liability at the date of death of the deceased.

A service, burial or cremation, and expenses related to applying for probate or administration that are incurred **after death** should NOT be included as liabilities.

Type of liability	Details of liability	Value

Appendix A

Hierarchy of relationships for Letters of Administration (no will)



**This diagram is for illustrative purposes only and does not constitute legal advice.
If you require further information you are encouraged to obtain legal advice.**