

Small Estate Application Form

Application form to use the small estates optional service



Things to know before completing this form

A small estate application is when an applicant uses the Probate Office's optional service that assists people to apply for a grant of representation.

For a fee, the Probate Office will prepare the paperwork to apply for a grant of representation on the eligible applicant's behalf, called the small estates optional service.

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 at <https://www.supremecourt.vic.gov.au/wills-and-probate/small-estates-optional-service> or by contacting the Probate Office.

Before completing this form, you should read the information about small estate applications available at <https://www.supremecourt.vic.gov.au/wills-and-probate/small-estates-optional-service>. Contact the Probate Office by phone on (03) 8600 2006 if you need the Probate Office to send you a hard copy fact sheet.

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 (if the death has been registered with Births, Deaths and Marriages Victoria after 11 July 2022, a certified copy of the "Death Certificate - Cause of Death" is required);
- the original will of the deceased (if the deceased left a will); and
- details of the assets and liabilities of the deceased (such as bank account details).

You will also need to complete a small estate credit card authorisation form to pay the fees, which is available on our website. 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 this form

Once you have completed the small estate application form and the small estate credit card authorisation form, email them along with a copy of the will (if there is one) and a certified copy of the death certificate (if the death has been registered with Births, Deaths and Marriages Victoria after 11 July 2022, a certified copy of the "Death Certificate - Cause of Death" is required) to smallestates@supcourt.vic.gov.au.

Alternatively, you can post the completed forms along with a certified copy of the death certificate (if the death has been registered with Births, Deaths and Marriages Victoria after 11 July 2022, a certified copy of the "Death Certificate - Cause of Death" is required) and the original will to:

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

Small Estate Application Form

Application form to use the small estates optional service



Section 1 - Your details

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

How are you eligible to make this application? Please tick only one of the following options:

- I am the executor appointed in the will and/or codicil(s)
- I am a beneficiary named in the will and/or codicil(s), and no appointed executor(s) can apply
- 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:	

Did the deceased leave a will? YES NO

If you have answered **no** to the above question, you **do not need to complete section 3**

If you have answered **yes** to the above question, you **do not need to complete section 4**

Section 3 – Will details

This section only needs to be completed if the deceased **left a will**.

Date of the will:	
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Was the deceased at least 18 years old when they signed the will? YES NO

Small Estate Application Form

Application form to use the small estates optional service



Section 3 – Will details (continued)

Name of first witness to the will:	Surname: Given name(s):
Current address of first witness to the will:	
Name of second witness to the will:	Surname: Given name(s):
Current address of second witness to the will:	

If you are not able to provide the current address of the witness to the will please write 'address unknown' or 'deceased' as appropriate in the address field above.

If the will has not been witnessed by two people the Probate Office may not be able to assist with your application. Please contact us to discuss your application further.

Did the deceased marry after the will was signed? YES NO

Did a marriage of the deceased legally end after the will was signed? A marriage of the deceased has legally ended if, for example, the deceased was divorced. Select 'NO' if a marriage of the deceased ended because the spouse of the deceased died. YES NO

Did the deceased leave a codicil? YES NO

If you answered yes to the above question, please fill in the details of the codicil below:

Date of the codicil:	
Name of first witness to the codicil:	Surname: Given name(s):
Current address of first witness to the codicil:	
Name of second witness to the codicil:	Surname: Given name(s):
Current address of second witness to the codicil:	

Are there any executors named in the will/codicil who are not applying? YES NO N/A

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

Surname:	
First Name:	
Middle Name (s):	

Small Estate Application Form

Application form to use the small estates optional service



Section 3 – Will details (continued)

Why is the executor not applying? Please tick one of the options below:

- Executor now deceased and died before or within 30 days of deceased
- Executor now deceased but survived the deceased by more than 30 days
- Does not wish to apply at this time (leave reserved)
- Renounced
- Medically unable to apply

If an executor is not applying because they are medically unable to apply, the Probate Office may not be able to assist with your application. Please contact us to discuss your application further.

If another executor is not applying, provide their details below:

Surname:	
First Name:	
Middle Name (s):	

Why is the executor not applying? Please tick one of the options below:

- Executor now deceased and died before or within 30 days of deceased
- Executor now deceased but survived the deceased by more than 30 days
- Does not wish to apply at this time (leave reserved)
- Renounced
- Medically unable to apply

Section 4 – Relationship details

This section only needs to be completed if the deceased **did not leave a will**.

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

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 may not be able to assist with your application. Please contact us to discuss your application further.

Small Estate Application Form

Application form to use the small estates optional service



Section 4 – Relationship details (continued)

Was the deceased married or in a 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.

Please tick the option which best describes the marital status of the deceased:

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

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

Date marriage legally ended:	
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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

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 may not be able to assist with your application. Please contact us to discuss your application further.

Small Estate Application Form

Application form to use the small estates optional service



Section 5 – 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 may not be able to assist with your application. Please contact us to discuss your application further.

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

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

Only include assets that are solely in the deceased’s name or are held as tenants in common.

Type of asset	Details of asset	Value

Small Estate Application Form

Application form to use the small estates optional service



Section 5 – 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. In the ‘Type of liability’ column specify what it is (e.g. credit card, mortgage, personal loan, household bill). 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). 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

Small Estate Application Form

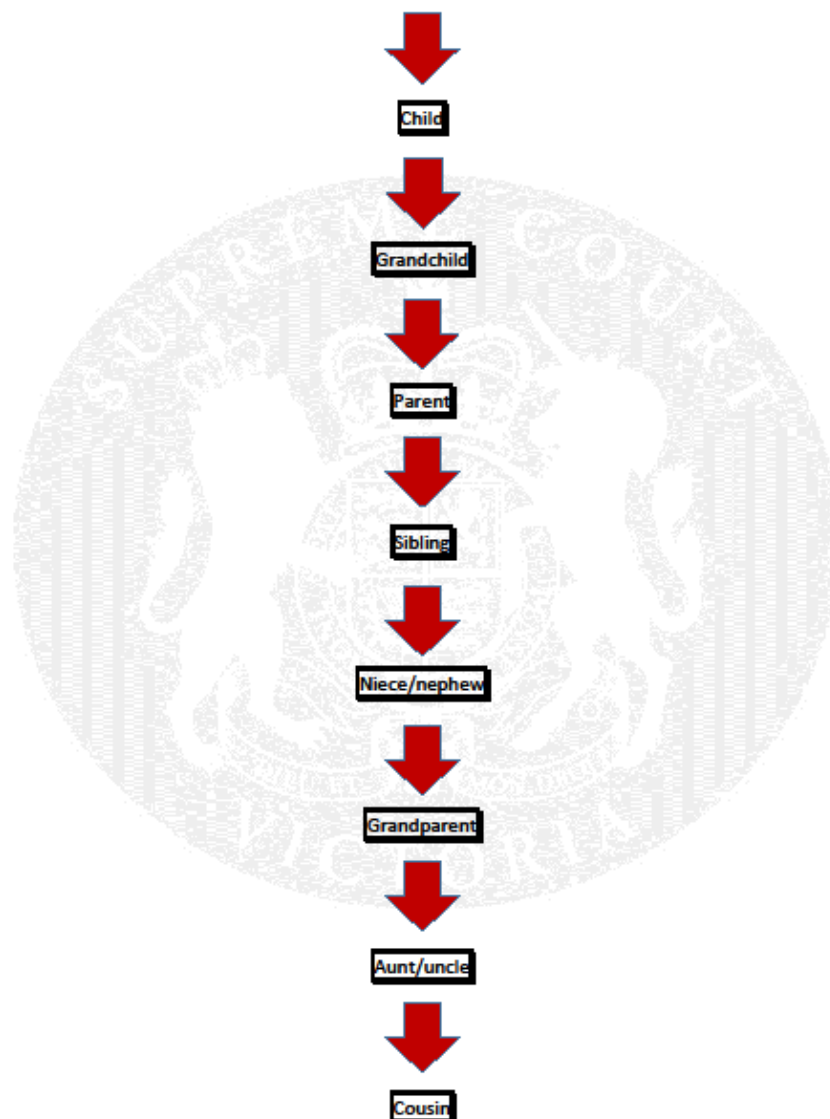
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Appendix A

Hierarchy of relationships for Letters of Administration (no will)

Spouse / Registered domestic partner / Unregistered domestic partner / Registered caring partner



**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.**