

## Q. What is a caveat?

A. If a person interested in a deceased's estate wishes to prevent a grant issuing they do so by entering a caveat, which is a written notice that can be entered on line or at a Probate Registry on the payment of a fee – currently £3.00. Once entered you will receive a notice that it has been entered and the notice will provide a caveat number.

### Q. What is its' effect?

A. The entry of a caveat prevents a grant being issued to another person.

### Q. Why is a caveat entered?

A. Typical reasons for wanting to oppose the issue of a grant are:

- Because the caveator (the person who enters the caveat) has doubts about the validity of the Will and wishes to make enquiries, or;
- does not consider that the person who will be applying for the Grant will properly administer the Estate, or is the appropriate person to be applying.

### Q. How long does a caveat remain in place?

A. A caveat is effective for 6 months. It can be extended on an ongoing basis for 6 months at a time during the last month before it is due to expire on line or in writing. A further fee of £3.00 is payable. The Probate Registry do not send a reminder.

### Q. What happens once a caveat has been entered?

A. It prevents most types of grants of probate from issuing. A person interested in obtaining a grant can seek to remove the caveat by serving a "Warning" on the caveator. This step can ultimately result in the caveat becoming permanent and can ultimately result in Court proceedings being issued and legal costs being incurred. It is therefore best to obtain legal advice before entering a caveat.

Our **Contentious Probate** team, led by **Robert Weston**, remains one of the largest teams of specialist members of the Association of Contentious Trust and Probate Specialists in the country.

We have been consistently ranked in the First Tier of the Legal 500 for Contentious Probate work in the West Midlands for a number of years.

*"...provides a service that is 'second to none' and specialises in probate disputes. Robert Weston leads the team and is 'very reassuring with clients', and is someone who looks to find a resolution to problems". Litigator Suzanne Lee is 'very understanding' and provides 'truly excellent service'. Andrew Chandler is 'very diligent' and has a 'good knowledge of this area'.*

We are recognised for being approachable, and for providing pragmatic initial free of charge advice.