

Notice of issue (probate claim)

In the

Claim No.

Claimant(s)

Defendant(s)

Issue fee

In the estate of

deceased (Probate)

Your claim was issued on []

[The court sent it to the defendant(s) by first class post on []

and it will be deemed served on []].

[The claim form (which includes particulars of claim) is returned to you, with the relevant response forms, for you to serve them on the defendant(s)]

Notes for guidance

The claim form and particulars of claim, if served separately, must be served on the defendant within 4 months of the date of issue (6 months if you are serving outside England and Wales). You may be able to apply to extend the time for serving the claim form but the application must generally be made before the 4 month or 6 month period expires.

You must inform the court immediately if your claim is settled.

The defendant must file an acknowledgment of service and defence within 28 days of service of the Particulars of Claim (whether they are served with the claim form or separately). A longer period applies if the defendant is served outside England and Wales.

Default judgment **cannot** be obtained in a probate claim.

If no defendant acknowledges service or files a defence, and the time for doing so has expired, you may apply to the court for an order that the claim proceed to trial.

To

Ref.