



1. Do we have the Death Certificate?

- a. Is it a Provisional Death Certificate?
- b. If death occurred outside South Australia, original Death Certificate is required and if in a foreign language a full translation and an Affidavit verifying the translation is required.
- c. Are the details in the Death Certificate correct? (Consistency with the Will)

2. Details of the Deceased

- a. Full name of deceased
- b. Last address of deceased
- c. Age of deceased at death
- d. Date of death of deceased (If exact date is unknown consider PR 27)
- e. Place of death of deceased.

3. Did the Deceased leave a Will?

- a. Where is the original Will?
- b. Were there any Codicils to the Will?
- c. Is the name of the deceased in the Will correct?
- d. Has the address of the deceased, as per the Will, changed?
- e. Does the signature of the deceased in the Will match the name of the deceased in the opening line of the Will? (Signature may have an initial or relate to a different surname)

4. Who is named as the Executor or Executors in the Will?

- a. Contact details for Executor(s)
- b. Relationship of Executor(s) to the deceased.
- c. Occupation of the Executor(s).
- d. Are the names of the Executors correct as per the Will?
- e. Are the addresses of the Executors correct as per the Will?



- f. Does any Executor wish to have Leave Reserved for that particular Executor to apply for Probate if the need arises? Get written consent.
- g. Does any Executor wish to renounce Probate? Why?
- h. Has any named Executor died or lost mental capacity?

5. Who are the Beneficiaries as per the Will?

- a. Contact details for Beneficiaries
- b. If there are any infant beneficiaries ? Obtain dates of birth details of their parents or guardians.

6. Condition of the Will

- a. Were the formalities in Section 8 of the Wills Act complied with? i.e. signed in the presence of two adult witnesses who signed in the deceased's presence.
- b. Is the attestation clause in the Will adequate?
- c. Does the Will refer to any other document expressly? Obtain an original or a copy
- d. Are there any alterations to the Will and were they correctly authenticated per the Rules?
- e. Are there any marks on the Will or damage to the Will that requires explanation?
- f. Is the Will dated?
- g. Are there any issues re the date? i.e. back page date different to date at the foot of the Will.
- h. Are there any errors in the Will? (Consider Rectification Application)
- i. Are there any construction of the Will issues?
- j. Are there any suspicious circumstances or issues with respect to the Will or the Deceased? i.e. undue influence / mental capacity / knowledge of contents of Will / lost Will / etc.



7. Marriage/Divorce

- a. Did the deceased get married after the Will was made and signed?
- b. Did the deceased get divorced after the Will was made and signed?
- c. Did the deceased register or revoke a relationship under the Relationships Register Act after the Will was made and signed?

8. Court Order – Restricting Testamentary Ability

Is there a relevant order of the South Australian Civil and Administrative Tribunal (SACAT) or Any Court, other than an order made in the Testamentary Causes Jurisdiction of the Supreme Court of South Australia ?

9. Other

- a. Is there likely to be a claim under the Inheritance (Family Provision) Act? See s6 IFP Act
- b. Has Centrelink (if relevant) been notified of the death of the deceased?
- c. Any overpayment issues?
- d. Cancel any subscriptions of the deceased (if required)
- e. Do you need to advertise for creditors before distribution pursuant to the Trustee Act?

DECEASED ESTATE CHECKLIST FY 2022-2023



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10. ASSETS

- a. Real property; Council Rates Notice or SAILIS Title
- b. Leasehold property
- c. Retirement Village interests
- d. Crown Leases
- e. Contents of home
- f. Cash in hand
- g. Motor Vehicles / Trailers / Boats / Aeroplanes / Other
- h. Money in Bank/ or other financial institutions
- i. Managed Funds
- j. Superannuation payable to the Estate
- k. Shares / Debentures in companies - In which State or Territory is the company registered?
- l. Pre-paid Funeral Bonds
- m. Accommodation Bonds
- n. Money owed to the deceased
- o. Unpaid employment entitlements / Long Service Leave etc.
- p. Compensation Claims (Check Survival of Causes of Action Act)
- q. Business assets of a sole trader or partnership
- r. Assets held by deceased as Trustee
- s. Life insurance
- t. Interest in another deceased estate
- u. DVA entitlements (Department of Veterans Affairs)
- v. Other assets or entitlements including interstate or overseas
- w. Did the deceased hold assets in different names? (Affidavit as to Alias needed)

DECEASED ESTATE CHECKLIST FY 2022-2023



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Gross Value of Estate

\$

Supreme Court Filing Fee 2022 – 2023 ; Valid to filing 30 June 2023

Estate Value	Filing Fee
\$200,000 or less	\$886.00
More than \$200,000 but less than or equal to \$500,000	\$1,773.00
More than \$500,000 but less than or equal to \$1,000,000	\$2,362.00
More than \$1,000,000	\$3,545.00

LIABILITIES

- a. Credit cards
- b. Mortgage debts
- c. ATO obligations (Australian Taxation Office)
- d. Medical bills
- e. Household bills
- f. Other debts/loans

11. Kruse Legal Next Steps

- a. Costs Agreement
- b. Write to other beneficiaries
- c. Write to

12. Executor's Next Steps

- a. SIGN and Witness back of the Will as per Probate Rule 15A
- b. Filing fee to Kruse Legal Trust Account
- c. Additional documents needed :

DECEASED ESTATE CHECKLIST FY 2022-2023



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13. Any other relevant issues?

DECEASED ESTATE CHECKLIST FY 2022-2023



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BENEFICIARY DETAILS

Estate of _____
Executor/s _____

Beneficiary No. 1

Full Name _____
Address _____

Email _____
Phone _____

Beneficiary No. 2

Full Name _____
Address _____

Email _____
Phone _____

Beneficiary No. 3

Full Name _____
Address _____

Email _____

DECEASED ESTATE CHECKLIST FY 2022-2023



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Phone _____

Beneficiary No. 4

Full Name _____

Address _____

Email _____

Phone _____

Beneficiary No. 5

Full Name _____

Address _____

Email _____

Phone _____

Beneficiary No. 6

Full Name _____

Address _____

Email _____

Phone _____