

**EXCERPTS FROM  
UNDERSTANDING PROBATE**

**Paragraph 1...**

When an individual dies intestate (that is, without a Will), under the laws of intestate succession the person's estate is divided among that person's relatives, regardless of how remote. Where there are no relatives, the entire estate will fall to the government. When an individual has a Will, all authority and property rights are governed by that Will, which take effect at the moment of death.

**Paragraph 4...**

The court fees associated with an application to the courts for probate, and for administration, are known as "probate fees". With the exception of assets held jointly with a right of survivorship, court fees are calculated on the value of all personal property owned by the deceased person anywhere in the world, and on all real property ...

**Paragraph 6...**

There are a wide variety of options available to individuals who wish to reduce the probate fees on their estates. The more popular options include giving assets to others prior to death, settling assets in inter vivos trusts, ensuring that ...

**Paragraph 9...**

Having spouses hold the family residence as joint tenants generally makes good sense. But holding the same property jointly with children generally makes no sense at all. Not only will a parent have lost the opportunity to redirect a child's share of the property in cases where the child dies before the parent, but the property may also become exposed to ...

**Final Paragraph...**

As with all good planning, individuals who are concerned about probate fees should consult their estate-planning advisor to assist them in assessing the pros and cons of various options involved in "probate planning."