

# family law checklist

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**HOW TO PREPARE  
FOR YOUR FIRST  
ESTATE DISPUTE MEETING**





# Estate Dispute Checklist

Taking the time to gather important information before you meet with your Estate Dispute Lawyer will help you to:

- Gather your thoughts about what is happening for you;
- Note any gaps in important information;
- Consider the questions that you have about your matter;
- Save time during your appointment and following your appointment by having all the necessary information together and ready to give to your lawyer;
- Save some costs where you have pulled together information in advance of engaging with your lawyer.

Use this form to pull together all of the necessary information to assist at your first appointment.

## Deceased's Details

Deceased's Name:

Date of Birth:

Date of Death:

Deceased's Address (their main residence):

## Your Details

Your Name:

Date of Birth:

Relationship to Deceased:

## The Executor

Who is the Executor (full name):

Details of the lawyer (if they have one):

## Important Documents

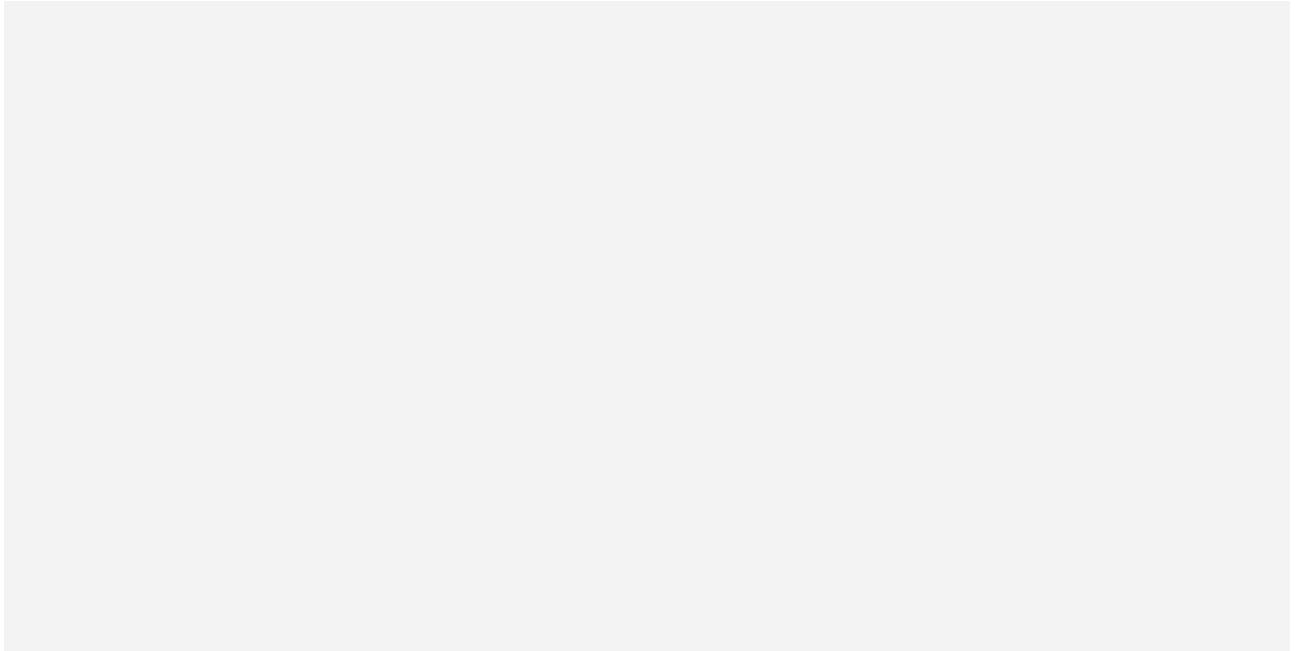
Do you have a copy of the Will?    Yes    No

Do you have a copy of the Death Certificate?    Yes    No

If you have either or both of these documents, bring them along to your appointment.

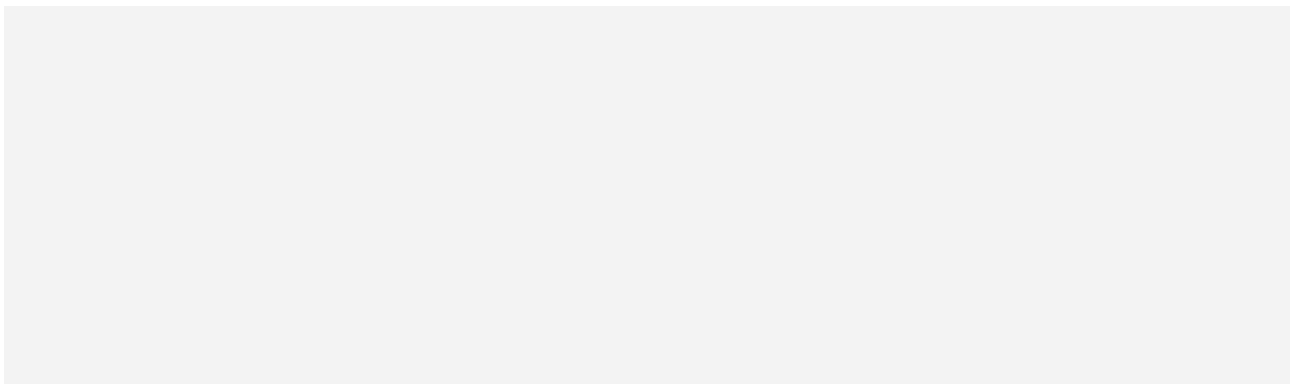
## Family Tree

Set out here your family tree. Note the deceased - their spouse, children, including step-children, and grandchildren. If the deceased did not have a spouse, note their parents and siblings. Note down their dates of birth if you know them.



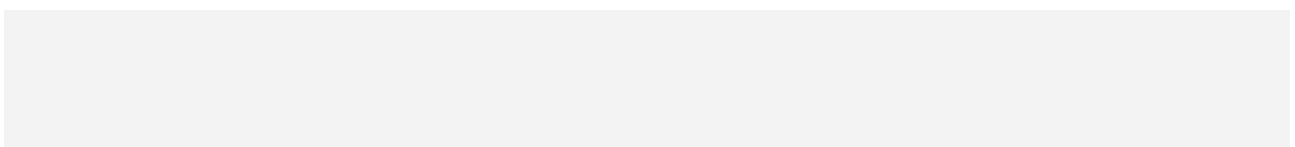
## Details of other family members who may also claim or respond to the claim

Make some notes here about your family - the deceased's spouse, children, step-children - is there anyone who will also bring a claim or take issue with your claim? Was there any other person under 18 who was being looked after by the deceased but isn't in the Will?



## Do any of your family already have lawyers assisting them?

Note down as much information as you have.



**Do you know what assets and liabilities are in the estate?**

Make some notes about the information you have and approximate values, if possible. Think about a residential home, nursing home bond or refundable accommodation deposit, investment properties, shares, superannuation, or money in the bank.

**Note down your own financial circumstances - what are your assets, liabilities and other resources (including superannuation)?**

If you are bringing a claim on an estate, one of the relevant factors to consider is your personal financial circumstances. In legal terms, we refer to this as “need”. Not only must you have not received adequate provision, but you must also have a need. Your lawyer will need to assess your current financial circumstances to give you proper advice about any claim you have. You need to include the estimated values of each item.

**Details about your relationship with the Deceased**

Your relationship with the deceased is important. If you have had significant periods of estrangement, it can impact your claim; whether that estrangement was your decision or the deceased's is relevant. You may have been very close to the deceased, living with them, helping to look after them. You may have had a "normal" family relationship. Whatever the circumstances, make notes about things you think might be relevant here.

**Note any questions you have**

Think about your questions, whether that is about process, prospects, what will happen, how long it will take. No question is silly. If it worries you, make a note so you can talk about it with your Estate Dispute Lawyer.

## Checklist

Now that you have completed the questions and information in this checklist, take the time to double check you have everything you need. You can use the points below as a quick reference.

Have you filled out this form as best you can?

Copy of the Will

Copy of the Death Certificate

Details of the Executor and their lawyer

Details of the Estate assets and liabilities

Family Tree

Details about other possible claimants / family members

List of your assets, liabilities and other resources, including superannuation

Any financial or other documents which you think might be relevant

Statement or notes about your relationship with the deceased

Your list of questions



If you have recently separated and are not sure where to go for advice our lawyers are experienced in Family Law matters, including separation and divorce situations.

Contact us for an appointment in either our Brisbane or Maroochydore offices on **07 3343 9522** or by email to [mail@lifelaw.com.au](mailto:mail@lifelaw.com.au).

[www.lifelaw.com.au](http://www.lifelaw.com.au)