



9 October 2020

Dear Sir/Madam,

MANDATING ONLINE PROFESSIONAL APPLICATIONS

On 30 September 2020, the [government published its response to a consultation](#) on proposals for probate applications from professional users being mandated to an online process.

The government welcomed the broad support for the concept and noted a number of respondents' reservations about wholesale mandating of professional user applications at this time.

As a result, the government has decided to:

- mandate the use of the online service for grant of probate applications by professional users, with a number of exceptions for more specialised applications
- continue to allow professional user applications for grants of letters of administration to be made via either the online process or the traditional method of applying via paper.

These reforms were introduced by an amendment to the Non-Contentious Probate Rules, made by the President of the Family Division, and laid in Parliament on 30 September 2020. The [rules and a list of the exceptions](#) are listed at Annex A for ease.

When will online mandation begin?

The new rules come into force on 2 November 2020. However, there will be a grace period until 30 November 2020 when paper applications will still be accepted. This is to provide additional time for professional users to sign up for online accounts in readiness for the future submission of grants of probate applications via [MyHMCTS](#).

Paper applications which have no exemption will be returned unissued after this date for you to submit online.

How to prepare and register for MyHMCTS

To use the online service your firm will need to have registered to process payments via [HMCTS Fee Account](#) (also known as 'Payment by Account').

Once you have a fee account, your organisation should be registered as a professional court user on MyHMCTS. This is the future operating platform from which professional court users can create and submit civil, family and tribunal applications to the court and view/progress live cases. Each firm will have its own account and the ability to set up and manage its users.

If your organisation is already registered (for example this may be the case if you have a team in your law firm that submits divorce applications online), you will need to contact your firm's MyHMCTS account administrator to request access.

It's important that your organisation does not attempt to register more than once. If your firm has not yet registered, we will contact you before 2 November with further information and assistance about signing up.

If you are certain that your firm has not yet registered, you can [register online](#). Please read the [registration guidance](#) fully before beginning your application.

Once confirmed, you will be able to [manage your account](#) online. Once registered, you can log into the [online probate service](#) and start issuing applications.

Help and support

The [HMCTS online services for legal professionals](#) provides additional guidance on how to use the online probate service.

If you have any queries about MyHMCTS registration, please contact the support team MyHMCTSsupport@justice.gov.uk.

If you require further help or support, please email contactprobate@justice.gov.uk or telephone 0300 303 0648.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Adam Lennon', written in a cursive style.

Adam Lennon
Deputy Director and Probate Service Owner
HM Courts & Tribunals Service

Annex A – Exceptions

Exceptions to the requirement to use the online portal for applications for grants made through solicitors or probate practitioners are detailed below:

- A grant of administration including a grant of administration with will annexed.
- A second grant of probate in respect of the same estate.
- A grant where the person entitled has been convicted of murder or manslaughter of the deceased or has otherwise forfeited the right to apply.
- A grant in respect of a foreign will.
- A grant accompanied by an application to prove a copy of the will.
- A grant, where all those entitled are deceased, to any of their legal personal representatives.
- A grant accompanied by an application for rectification or fiat copy of the will.
- A grant under rule 25 (Joinder of administrator).
- A grant under rule 27 (Grants where two or more persons entitled in same degree).
- A grant under rule 30 (Grants where deceased died domiciled outside England and Wales), except a grant under rule 30(3)(b).
- A grant under rule 31 (Grants to attorneys).
- A grant under rule 36 (Grants to trust corporations and other corporate bodies).
- A grant under rule 39 (Resealing under Colonial Probates Acts 1892 and 1927).
- A grant under rule 52 (Grants of administration under discretionary powers of court and grants ad colligenda bona).