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DISPUTED WILLS AND TRUSTS GLOSSARY

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This note provides a list of commonly used terms relating to inheritance disputes and their corresponding meaning.

ACTAPS The Association of Contentious Trust and Probate Specialists. It is an association for lawyers specialising in contentious trust and probate work and its aim is to provide a voluntary code of conduct and to provide a forum for specialists to exchange experience and know-how. ACTAPS code The voluntary code of conduct in respect of how to deal with the parties before court Proceedings: The voluntary code of conduct in respect of how to deal with the parties before court Proceedings: Administrator The person appointed under a Grant of Letters of Administration to Administer/Distribute an Estate. This grant is used when someone dies without a Will. Administration to Administer/Distribute an Estate. This grant is used when someone dies without a Will. Appearance The formal document sent to the Probate Registry and the person that issued the Warning detailing why the Caveat has been entered. Beneficiaries The persons due an inheritance from a Deceased's Estate. The persons due an inheritance from a Deceased's Estate. An act (or failure to act) by a Trustee that is not authorised by the Trust document or by law; A form sent to the Probate Registry by a person wishing to stop the Grant of Probate being issued to the Executor. The aim is to prevent the Estate being distributed; Caveator The person that has entered a Caveat; Count Order An order made by the court deciding the outcome of a claim; Deceased The person that has entered a Caveat; The person that has entered a Caveat; Court Order An order made by the court deciding the outcome of a claim; The person that has entered a Caveat; Facutors The person in a Will that are responsible for Administering/Distributing an Estate; Facutors The person named in a Will that are responsible for Administering/Distributing and the person of a Will; Estate The property, money and belongings that were owned by the Deceased in the person of the person of the Administering Distribution of the Will that are responsible for Administering Distribution and the Adminis		
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Probate Registry	The government department that deals with issuing a Grant of Probate or a Grant Of Letters of Administration;
Proceedings	The action taken in order to resolve a matter at court;
Testate	When a person dies leaving a Will;
Testator	The person who has made a will or given a legacy;
Trustee	The person appointed to manage property for the benefit of another person;
Trust	The legal arrangement used to appoint someone to manage property for the benefit of another person;
Testate	When a person dies leaving a Will;

Undertaking	A promise made by a solicitor to do something. Breach of a solicitor's undertaking is a matter of professional misconduct;
Warning	A document issued by someone challenging a Caveat. The Warning demands than an Appearance is made within eight days by the person that entered the Caveat. If no Appearance has been entered, then the Grant of Probate can then be issued;
Settlement Agreement	The private agreement reached voluntarily by the parties which brings an end to the dispute;
Undue influence	The process of coercing a Testator into making a Will that they did not wish to make;
Will	A legal document that decides what happens to property belonging to a Deceased upon their death.