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Steps to administering a deceased estate

A step-by-step guide and checklist for executors and administrators in NSW

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Losing someone close to you is hard, and being responsible for their estate can feel overwhelming. This guide walks you through the main steps involved in administering a deceased estate in NSW, with a checklist for each stage. **You don't have to do it alone** – our deceased estates team can guide you through every step.

1
Locate the Will and gather key documents

2
Identify the assets and liabilities

3
Publish a notice of intended application

4
Apply for Probate or Letters of Administration

5
Collect assets, pay debts and finalise tax

6
Distribute the estate

Step 1: Locate the Will and gather key documents	
The Will	
☐	Find the original Will and any codicils. Check with the solicitor who prepared it, NSW Trustee & Guardian, any safe custody service and the deceased's personal papers.
☐	Confirm who is named as executor, and whether they are willing and able to act.
Key documents	
☐	Death certificate from NSW Registry of Births, Deaths & Marriages (the funeral director usually registers the death).
☐	The deceased's identity documents, such as their birth certificate, marriage or divorce certificates and passport.
☐	Funeral invoices and receipts – keep every one so they can be accounted for in the estate.
Protect the estate	
☐	Secure the home, vehicles and valuables, and check that insurance remains in place.

> **Tip:** In most cases you don't need to pay the funeral invoice yourself. If the deceased had enough money in their account, the bank can usually pay the funeral provider directly when you present the invoice.

Step 2: Identify the assets and liabilities	
Assets	
☐	Real estate – note whether it was held as joint tenants (which usually passes to the surviving owner) or tenants in common (which forms part of the estate).
☐	Bank accounts, term deposits, shares and other investments.
☐	Superannuation and life insurance – these may be paid according to a beneficiary nomination rather than the Will.
☐	Vehicles, household contents, jewellery and other personal belongings.
☐	Business interests, trusts and any assets held interstate or overseas.
Liabilities	
☐	Mortgages, personal loans, credit cards and other debts.
☐	Outstanding bills, rates, utilities and any tax owing.
Let people know	
☐	Notify banks, super funds, insurers, Services Australia (Centrelink and Medicare), the ATO, utility providers and Australia Post (mail redirection).

Step 3: Publish a notice of intended application	
☐	Publish a notice of intended application for Probate or Letters of Administration on the NSW Online Registry.
☐	Wait at least 14 days after the notice is published before filing the application with the Court.

Notes

Step 4: Apply for Probate or Letters of Administration

Which grant do you need?	
☐	**Probate** – where there is a valid Will and the named executor is able to act.
☐	**Letters of Administration** – where there is no Will, or there is a Will but no executor able to act (Letters of Administration with the Will annexed).
Making the application	
☐	Prepare and file the application with the Supreme Court of NSW, including an inventory of the estate's assets and liabilities, and pay the filing fee.
☐	If you apply more than six months after the date of death, include an explanation for the delay.
☐	Respond to any requisitions (questions) from the Court. Once approved, the grant is usually issued within several weeks.

Good to know: Some small estates can be finalised without a grant – for example, some banks will release smaller balances directly to the executor. Each institution sets its own limit, so check before you apply.

Step 5: Collect assets, pay debts and finalise tax

☐	Give a copy of the grant to banks, share registries and other asset holders, and open an estate bank account.
☐	Collect the estate funds, and sell or transfer property as the Will (or the law, if there is no Will) requires.
☐	Pay funeral expenses, debts and the costs of administering the estate.
☐	Lodge any outstanding tax returns, including a date of death return and trust returns for the estate where required.
☐	Keep detailed records of everything received and paid out on behalf of the estate.

Step 6: Distribute the estate	
☐	Publish a notice of intended distribution and wait until the notice period has expired.
☐	Wait at least six months from the date of death before distributing, to protect yourself from personal liability if a family provision claim is made.
☐	Check whether any claims have been made or notified against the estate.
☐	Prepare estate accounts showing what was received, paid and is left to distribute.
☐	Distribute gifts and the remaining estate to the beneficiaries, and obtain a signed receipt from each one.

Key time limits in NSW

Time limit	What it means
14 days	The minimum time between publishing a notice of intended application and filing for Probate or Letters of Administration.
6 months	If you apply for a grant more than six months after the date of death, the Court will require an explanation for the delay. Executors should also generally not distribute the estate until at least six months after the date of death.
12 months	A family provision claim must generally be filed within 12 months of the date of death. The Court can extend this time only in limited circumstances.

Ready to talk to a deceased estates lawyer?

Our Penrith deceased estates team can help you apply for Probate or Letters of Administration, manage the estate and protect you as executor. Book an initial consultation or give us a call.

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This guide provides general information only about the law in New South Wales as at November 2026. It is not legal advice and should not be relied on as a substitute for advice about your circumstances. Time limits and requirements can change and may differ depending on the estate. Please contact ALA Law for advice about your situation.