



What you need to know about Probate genealogy services



For over 70 years State Trustees has been caring for the personal and financial well-being of many Victorians.

Identifying, confirming and locating heirs and legatees

State Trustees performs a specialised role by identifying and contacting heirs of people who die without a valid Will, whether they are within Australia or overseas. We also trace the executors, witnesses and beneficiaries named in a Will when their whereabouts are not known.

These types of searches are known as 'probate genealogy'. Probate genealogy combines traditional genealogy (or family history) with paralegal work and aspects of private investigation.

Estate distribution for intestacies in Victoria

- Domestic partner
- Children
- Parents
- Siblings of the deceased and their children
- Grandparents
- Aunts/uncles/nieces/nephews/
great-grandparents
- First cousins/great-nieces/great-nephews
- More distant relatives

My Story

After Abigail Weller died, her estate received a large inheritance from her father's estate.

The issue

She was her father's only child, so the solicitor handling the estate contacted Abigail's paternal cousins and told them they were the heirs.

However, Abigail's mother had previously married and Abigail had half-siblings and half-nephews who were closer relatives under the intestacy laws.

If the solicitor had distributed to the paternal relatives, the solicitor would have been liable to pay the whole amount to the half-siblings and their children.

How State Trustees could have helped

No matter why they're 'missing', State Trustees Genealogical Services can help locate beneficiaries, whether named or unnamed, under Wills or as heirs from intestate estates.

Following the formula set down in the Administration & Probate Act 1958, our probate genealogists track the deceased person's spouse, de facto or partner, children and close family members – all the way to the deceased's cousins, and more distant relatives, if required.

Once our probate genealogists prove a close relative exists, they then trace the relatives' whereabouts and obtain their documentation and declarations.

My Story

George Price was a divorcee who died in Melbourne leaving a Will naming his son and daughter.

The issue

The solicitor handling the administration of Mr Price's estate could not locate addresses for the people named and referred searches to Genealogical Services at State Trustees.

How State Trustees helped

We located evidence of George Price having married in Queensland and noted a reference to the divorce being instigated in New South Wales. We applied for evidence of George's wife re-marrying in New South Wales and located an address for Zack and Lauren Koslow (formerly Mrs Price).

They were able to confirm that George's son and daughter – though never adopted – were using their stepfather's surname: Koslow. The legatees were located and their documents obtained. The Estate was completed.

The case studies, while fictional, are based on real client experiences. Names and identities of persons and facts have been changed in order to protect confidentiality. Any similarity between a person's name and experiences to the scenario described in the case study is unintended and coincidental.

Extensive resources and specialised expertise

State Trustees' team of probate genealogists use a combination of electronic and manual methods in their searches.

These can include:

- electoral rolls
- birth, death and marriage records
- cemetery records
- databases on the internet
- personal effects
- historical material

The Genealogical Services team has been collecting indexes and other records for over two decades and has created a large research library for their searches. Nearly half our research is conducted in foreign countries, especially European nations.

Research which once took years to complete can often be solved within a month – especially where all the family are in Victoria. Our network of researchers extends around the world and we have experience in nearly every country.

Our area conducts research into over 400 family trees each year. At least 10% of these result in cousins being the heirs. Our success rate is over 95%.

Benefits to your practice

- Reduced administration time.
- Reduced risk of incorrect distributions and associated liability.
- Closure of annoying, long-term files.
- Locating heirs anywhere in Australia or the world.
- Confidence that you have distributed to the true and correct heirs.

Starting a search

Genealogical Services can provide probate genealogy for solicitors, trustee firms and their representatives in order to help locate missing heirs, executors or witnesses. Before any work is done, we can provide a no-obligation indicative quote for the research you require, based on an hourly rate and costs.

Questions?

For more information about our Genealogical Services, please contact our customer service consultants

03 9667 2870

Residents outside the Melbourne metropolitan area can call

1300 138 672

or visit

www.statetrustees.com.au

