

**AD LITEM APPLICATION FORM**

Return address for applying firm of Solicitors:

|  |  |
| --- | --- |
| Firm: | Enter the firm name |
| Address 1: | Enter firm address line 1 |
| Address 2: | Enter firm address line 2 |
| Town: | Enter town name |
| County: | Enter County name |
| Country: | Enter Country name |
| Eir Code: | Enter Eir Code |

Name of Deceased: Enter Name of Deceased

Date of Death: Enter Date of Death

This document sets out the requirements for applications for Letters of Administration *ad Litem*. Generally, these urgent applications issue within one day of being received. However, this is dependent on the papers being prepared correctly.

PLEASE ENSURE THAT A PHONE NUMBER IS PROVIDED BELOW SO THAT WE MAY NOTIFY YOU OR YOUR AGENT WHEN THE GRANT IS READY TO BE COLLECTED.

**Certification by Firm of Solicitors with carriage of the Administration of this Estate**

[ ]  I am the Solicitor/Legal Executive/Law Clerk with responsibility for this application.

[ ]  I certify that I have read and completed the attached information guide and that all documents which are required have been furnished herein.

[ ]  I further certify that they have been duly sworn and completed in accordance with law.

Solicitors Firm: Enter Solicitor Firm
Individual overseeing application: Enter Individual overseeing application (BLOCK CAPITALS)

Phone Number for Collection: Phone Number for Collection

Email:  Enter Email

|  |
| --- |
| **For Probate Office Use Only** |
| Fee: |   | Case Officer: |

|  |  |  |  |
| --- | --- | --- | --- |
| **Documents Required in all Ad Litem applications:** |  |  |  |
| Original Death Certificate |[ ]  Original Sworn Oath **(no copies required).**  |[ ]
| Court Fees of €100 stamped on page 1 of this document. |[ ]  Bond. |[ ]
| Attested Copy of the Court Order: this may be obtained from the Probate Rules Office and must bear the original signature of the attesting Officer. |[ ]   |  |

AD LITEM REQUIREMENTS. To be completed by individual overseeing application.

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|  |  | Solicitor to check | Office Use |
|  | I am enclosing the documents required in all Ad Litem applications (see above). |[ ] [ ]
| Oath | Oath follows the format set out in SI 590 of 2020 for an Oath of Administrator (Intestate) with suitable amendments such as stating that the deceased died testate/intestate as the case may be. **Please Note**: Oath of Administrator (intestate) is the most common type of grant applied for in Ad Litem applications, however, it does depend on the relief granted in the Court Order. |[ ] [ ]
|  | Oath states – in Part B – that the applicant was **appointed pursuant to Section 27(4) of the Succession Act 1965** and cites the date and place issue of the Court Order, i.e. **by Order of the High Court dated the Day/Month/Year**. |[ ] [ ]
|  | Oath recites– in Part B – all limitations in full as set out in the Court Order. |[ ] [ ]
|  | Oath covers all relevant names and addresses in Part A and corresponds with the other documents, specifically the Death Certificate and Court Order. |[ ] [ ]
|  | Oath must give a nominal figure – usually €10 – for the Gross Irish Estate in Part A.  |[ ] [ ]
|  | Jurat complies with all requirements set out in SI 95/2009 and I have read Guidance Note 1 in this regard. |[ ] [ ]
| Bond | Bond follows the format set out in SI 590 of 2020 and has been witnessed by the independent Commissioner before whom the Oath was sworn. |[ ] [ ]
| Fee | The correct fee of €100 has been stamped on this document. |[ ] [ ]

**Guidance Note for *Ad Litem* Applications**

Letters of Administration *Ad Litem* are Grants which issue for a specific purpose, usually to substantiate and/or defending proceedings on behalf of or against an estate. The Grant can only issue on foot of a Court Order. To apply to the Probate List of the High Court, papers should be lodged with the Probate Rules Office.

The Court Order will usually limit the Grant for a purpose and would not typically allow the applicant to prove the deceased’s will or to administer the estate in any way. As such, it is not necessary to lodge any revenue forms, or the will – if any – and the Gross Irish Estate on the Oath and Bond is usually for a nominal figure. If the intention is to apply to prove the will and/or extract a Grant which allows you to administer part of or the whole estate, see the application forms for Probate, Intestate or Will Annexed applications.

**Guidance Note 1. The Jurat on the Sworn Oath - requirements**

* Sworn by .. On (date).. At (Place).. Before me (a commissioner for oaths/practicing solicitor) And I know the deponent **or**
* If the deponent is not known to the commissioner they must be identified by a third party, who the commissioner states is known to him/her. The identifier must certify in writing as to their knowledge of the deponent on the oath **or**
* The deponent(s) must be identified by a document e.g. a passport or a drivers licence. The jurat must indicate the type of document and the unique reference number of same.

**Please follow the below link to our website to access the required precedent jurat at** [**here**](https://services.courts.ie/docs/default-source/default-document-library/courts-documents/forms/probate/grant-of-administration/oath-of-administrator-incorporating-administration-bons---intestacy.docx?sfvrsn=9c5092e7_2)**.**