

Probate online: collaborating to tackle issues

This case study highlights the importance of a collaborative approach to help resolve some significant problems the project faced along the way.

Background

The public rely on our probate service at what is always a difficult and challenging time in their lives. With approximately 280,000 applications for grants of probate received each year, this project aims to improve the process for personal applicants and solicitors applying in uncontested cases.

It enables them to apply online using a service that is simpler, more intelligent, and less intrusive and one which removes unnecessary bureaucracy for personal applicants, legal professionals and the courts.

Since the project began in April 2016, we've conducted extensive research, demonstrated and trialed the new service in private beta testing, and further developed the system so the new service meets the needs of all users.

The project team delivered the same benefits to a simplified paper-based application process, making sure the new service doesn't disadvantage or exclude anybody without internet access.

Use by probate practitioners

Applicants without legal representation were using the system in high numbers by autumn 2019. A legal professional pilot was rolled out nationally in line with the availability of the new sign-up system, MyHMCTS.

In December 2019, it was clear that probate practitioners were not switching to the digital system and instead largely remained using the paper process which takes more time for HMCTS to administer and means the applicant cannot track its progress.

A collaborative approach

During the project we had built excellent working relationships with many of the representative bodies for probate practitioners, such as the Law Society, STEP, SFE and the charity sector. We ran a series of focus groups with the help of these organisations to understand why practitioners weren't using the system. At the same time, we conducted focused research with individual practitioners and firms to further understand the barriers stopping them from moving to the digital service.

Through this engagement and collaboration we identified and addressed a number of areas in which the online system and the MyHMCTS sign-up process

could be improved.

Following subsequent testing, we worked with the same representative bodies to host webinars (some run by the Law Society itself) and publish blogs to encourage take-up of the digital service.

The result was a marked increase in use by practitioners, which continues to grow weekly, and has enabled HMCTS and the Ministry of Justice to feel confident enough in the system to consult on mandating its use for all practitioners.

We continue to listen to feedback and are continually improving the system. The support of the profession has been invaluable in this work and we continue to meet with them regularly to gather further insight into how we can improve the service.

Service during the pandemic

The improvements to the online service for probate practitioners came just before the coronavirus (COVID-19) pandemic affected many of our services with significant workforce restrictions put in place as a result.

The progress made to introduce online access to services through reform has made a substantial difference in maintaining the operation of the courts and tribunals, enabling more work to continue where reform is more advanced, and underlining the wider value of reform in supporting a more resilient and adaptable service.

Those services which have already been reformed, notably divorce and probate, have proved more resilient to the impact of the pandemic and have been able to continue to process thousands of applications each week throughout it.

Impact

We published [a blog on GOV.UK by Ian Bond](#), chair of the Law Society 'Wills and Equity Committee', who also heads the Trusts and Estate Department at Talbots Law, one of the pilot firms on the HMCTS probate pilot. In the blog he explores the background to the project, the involvement of the Law Society with HMCTS and outlines his experiences in working with HMCTS to develop the pilot for the profession.

Ian reports favourably on HMCTS's management of the pilot, consultation with the profession and successful implementation of the online service.

What is next?

The service continues to be developed as we add some of the more complex or unusual processes required.

Further information

[Apply for Probate Online](#)

[HMCTS Reform projects explained](#)

[HMCTS engagement groups](#)

[Engaging with our external stakeholders – our approach and plans](#)