



Statement in relation to probate applications and court-annexed mediation

On 21 July 2025, I issued a statement to the profession in relation to delays in the processing of probate and letters of administration applications, and concerns raised by members of the profession and the Law Society regarding the processing of such applications.

In response to these concerns, and through the dedicated efforts of the Chief Judge in Equity, the Principal Registrar and the Supreme Court's Registrars, including the two new Deputy Registrars referred to in my previous statement, significant progress has been made, with the processing time for new probate applications now reduced to two business days from the expiration of the notice period, meaning that, where no requisitions need to be raised, probate should be granted in less than three weeks from filing. Where requisitions are required, they will generally be issued within two business days from the expiration of the notice period, with the time for the grant of probate then depending upon the time taken by the applicant for probate to respond to the requisitions.

To support practitioners and to maintain these improved processing times, the Law Society, with input from the Court, published "Probate tips: Addressing common requisitions" in *Monday Briefs* on 10 November 2025. Practitioners are encouraged to review this guidance to ensure applications are complete.

The Court has also pressed for enhancements to the online probate system and the following updates are now available:

- For informal will (s 8) applications, the filing of the consent of affected person form and/or the affidavit of service of notice to affected persons is now a non-mandatory attachment when generating the summons and primary affidavit. This change removes the need for practitioners to upload blank documents as a workaround.
- The Oath/Affirmation section at the beginning of the affidavit generated by the system has been updated to display a hashtag symbol, reminding witnesses that an affidavit must indicate whether the deponent has taken an oath or affirmation when swearing or affirming their affidavit.
- A user navigation error affecting letters of administration in applications where the first entitled person is under 18 and the second person is not joining the application has been resolved.
- The character limit for folio identifiers for real estate in the inventory of property has been increased to 4,000 characters, allowing for more comprehensive entries.

Finally, I am also pleased to announce that the time to obtain a court-annexed mediation has also improved, now averaging 7.5 sitting weeks.

The Honourable A. S. Bell
Chief Justice of New South Wales
Supreme Court of New South Wales

19 November 2025