

SCHEDULE 4

PART II

IV CLAIMS UNDER THE INHERITANCE (PROVISION FOR FAMILY AND DEPENDANTS) ACT 1975

Procedure for claims under section 1 of the Act

57.16.—(1) A claim under section 1 of the Act must be made by issuing a claim form in accordance with Part 8.

(2) Rule 8.3 (acknowledgment of service) and rule 8.5 (filing and serving written evidence) apply as modified by paragraphs (3) to (5) of this rule.

(3) The written evidence filed and served by the claimant with the claim form must have exhibited to it an official copy of—

- (a) the grant of probate or letters of administration in respect of the deceased's estate; and
- (b) every testamentary document in respect of which probate or letters of administration were granted.

(4) The time within which a defendant must file and serve—

- (a) an acknowledgment of service; and
- (b) any written evidence,

is not more than 21 days after service of the claim form on him.

(5) A defendant who is a personal representative of the deceased must file and serve written evidence, which must include the information required by the practice direction.