

## SETTLEMENT CHECKLIST

*This document must be completed in full where settlement of the proceedings has occurred and orders are being sought under the Act.*

*Please ensure that all original affidavits (not already filed) and the exhibits to any affidavit to be relied upon, and/or to which reference is made in this document, are delivered to the Associate of the Family Provision List Judge at the time that Consent Orders are delivered/handed up.*

### NAME OF MATTER/SUPREME COURT FILE NO:

1. Name of the Deceased:
2. Date of death of the deceased:
3. Date of Will:
4. Grant of Probate or Administration:
5. Value of estate:
6. Any Notional estate and, if so, its value:
7. Relationship of the Plaintiff to the deceased:
8. Relationship of the Defendant to the deceased:
9. Beneficiaries named in Will and relationship to the deceased:
10. Interest of any minor beneficiary affected and how:

### FORMAL MATTERS

11. Date of commencement of proceedings:
12. If the application has not been commenced in time has an order extending time been sought in the Summons?
13. Identify Plaintiff's Affidavits (and exhibits) to be relied upon:
  - a. Is a copy of the Will/Probate/Letters of Administration in evidence:
  - b. Paragraphs setting out assets and liabilities of the Plaintiff and any person with whom he or she is cohabiting:
  - c. If approval of a release is sought, identify affidavits setting out matters to be considered by the Court in determining application for approval (see s 95(4) Succession Act, 2006):
14. Has the Notice of Eligible Persons been served:

15. Identify Defendant's Affidavits (and exhibits) to be relied upon:
16. Has the prescribed notice been served on persons referred to in Practice Note SC Eq 7:
17. Identify evidence of service of notices on eligible persons and/or beneficiaries:
18. Who is to bear the burden of provision being made:
19. Evidence of consent of persons who, or who may be adversely affected, by the provision being made:
20. If approval of a release is sought, identify affidavits setting out matters to be considered by the Court in determining application for approval (see s 95(4) Succession Act, 2006):
21. If the Plaintiff or any beneficiary is a person under a legal incapacity, is there evidence by the tutor and her, his or its advisor stating that the compromise is beneficial to the person under a legal incapacity:
22. If a trustee is to be appointed, has his, her, or its, consent been obtained and if so, is there evidence of his or her good fame and character:
23. Are there any matters that should be brought to the attention of the Court:

DATED:

Counsel/Solicitor for Plaintiff  
Print name

Counsel/Solicitor for Defendant  
Print name