

## Justice and Order

No. 60

Just a few minutes ago a Chinese client visited our office to discuss about her inheritance. Her father passed away but she didn't receive any inheritance at all. The other family members are her mother and her sister. According to her, her father owned expensive properties in the upper-town of North of Sydney.

This client was despised by her mother because she and her husband broke up. In addition, her father was persuaded by the mother not to leave any of his inheritance to her. If you want to raise an objection to the will, you can challenge the administrator of an estate. In this case, it is her mother that would be challenged. The statute of limitation expires after a year the person who has left a will passes away. Her father passed away 2 years ago and the inheritance has already been distributed.

How can we help her?

She needs to challenge her mother as the administrator of an estate to make it invalid in the Supreme Court. It means fighting with blood relations. At first we need to take into consideration the will itself. Is it made in accordance with the law or not? Is there a beneficiary among the people who witnessed his signature in the will? Did her father have mental capacity when he signed the will? Did the father sign the will out of his own free will? Or was he forced to do it by his wife and his other daughter?

Is the statute of limitation an exception? She was in a foreign country when he died. Will the fact that she was in a foreign country be an exception to the statute?