

Overview of Surrogate Digital Service

The Surrogate Digital Service is a key aspect of Alberta's overall surrogate reform effort. It will allow counsel to submit routine grant applications online in a streamlined, efficient process.

The service is:

- A web-based application available at surrogate.alberta.ca
 - Able to process most **probate and administration grant applications**
 - Mandated for use by lawyers for all eligible submissions on **November 17, 2023**
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Features and benefits

The service has been designed with input from Alberta estate lawyers, and will make grant applications easier, more efficient, and much less prone to rejections.

1. Easy account set up

Lawyers and legal assistants can create their own accounts in the digital service; no invitation or manual approvals are needed. Lawyers must enter their Alberta Bar ID, which will automatically be validated with the Law Society of Alberta. Legal assistants must request and be granted permission from one or more responsible lawyers before they can create applications.

2. Simplified forms

The surrogate reform effort has simplified the forms for all applications by developing a completely new set of Grant Application (GA) forms to replace the old NC forms. The digital service further simplifies completion of the forms by automatically calculating estate values and eliminating duplicate data entry.

3. A fully digital, web-based process

In Surrogate Digital Service, all aspects of the application form are web-based. You will not complete and upload GA forms. The application will be completed in your web browser. You can create your application over time and save your progress as you go. A dashboard will allow you to see the status of your applications and to access details as needed. You need to submit PDF copies of the proof of death, will and other testamentary documents with your application.

4. Digital validations to reduce rejection reasons

The online application automatically checks data entry to ensure forms are completed correctly, thereby reducing reasons for rejection. Each application starts with an eligibility checklist to confirm the submission can be processed in the digital service. Carefully selected required fields guarantee that incomplete forms can't be submitted.

5. Applicants certify the application digitally

Once a lawyer or legal assistant has completed the application, the applicant is notified by email and given a secure link to review the form, will and other testamentary documents. After review, they can certify the application with a single click.

6. Online payment by credit card

All applications must be paid for by credit card at the time of submission. If the original submission includes "to be determined" values, the system will track that. Lawyers will have an opportunity to amend the inventory when final values are known. If there is a balance owing at resubmission, that will be calculated automatically and must be paid for by credit card.

7. Digital service of notices to beneficiaries and potential claimants

After a clerk has reviewed and approved the application, beneficiaries and potential claimants can be digitally served with notices via email. They can review relevant details online and acknowledge service with a single click. If needed, lawyers can download a copy of the notice, serve it by alternate methods and track service in the application. After service is complete, the application will automatically be sent to a Justice for review and issuance of the grant.

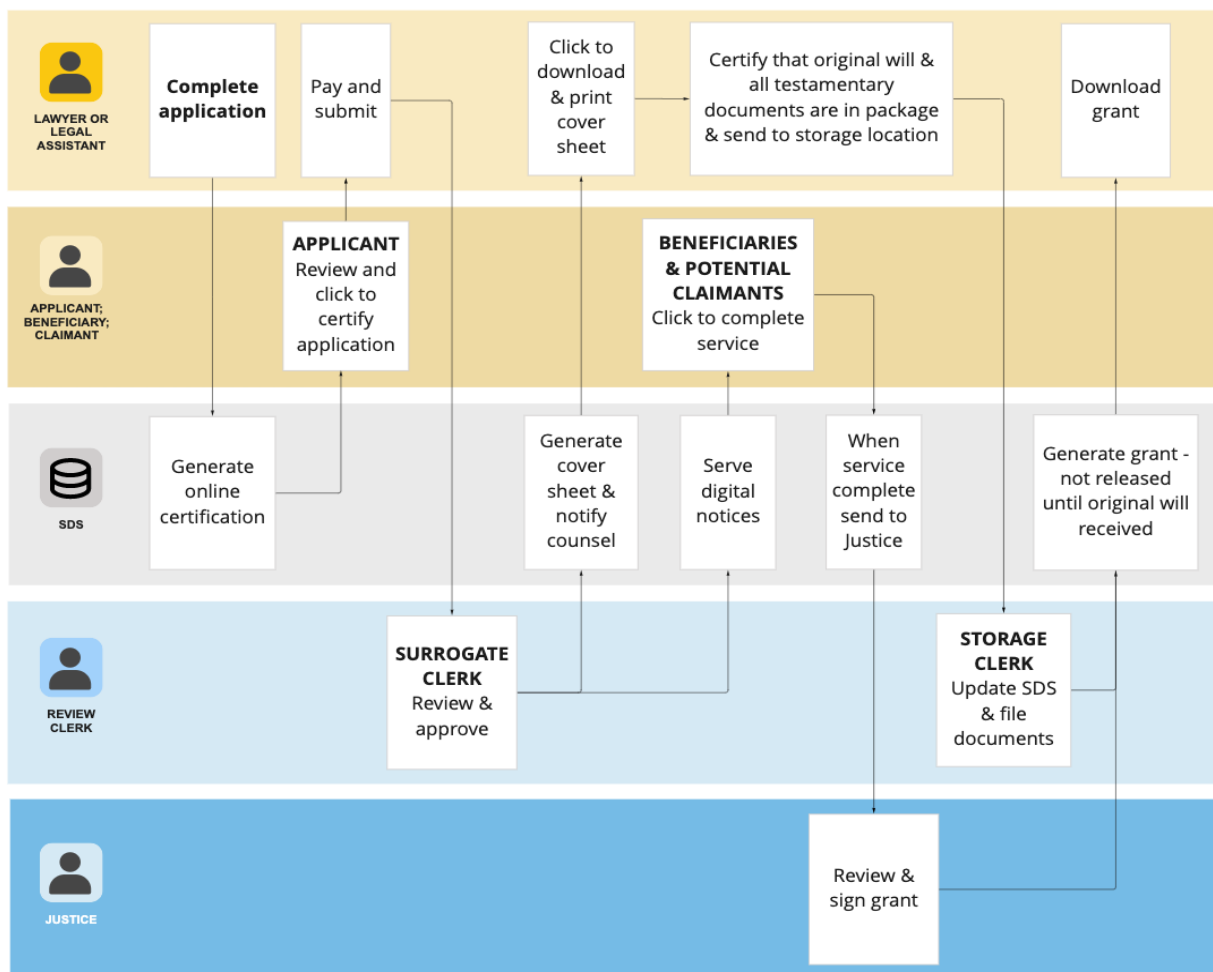
8. Original will

Before receiving the grant, lawyers must submit the original will and testamentary documents to the Courts for storage. After a successful clerk review, lawyers can download a cover sheet and sign a certification statement that they are sending originals of all documents included in the application (other than proof of death).

9. Digital grants

Once the original documents are received and a Justice has signed, lawyers will receive an email notification that the grant is ready. A PDF copy of the signed grant can be downloaded and printed. To help banks and other institutions understand the changes, a generic letter has been created that describes the digital Grant format. This can be downloaded when the digital grant is downloaded. It is also available on a [web page that explains the new grant format](#).

The probate process in Surrogate Digital Service



Mandated use by lawyers

As of September 13, 2022: Members of the Law Society of Alberta are required to utilize the Surrogate Digital Service (SDS) for all applications SDS is capable of processing (currently applications for probate only). Members of the Law Society filing grant applications after September 12, 2022, other than through the SDS, must include a [submission eligibility form](#) with each application indicating why it could not be processed through SDS.

As of November 17, 2023: Updated Requirement - Members of the Law Society of Alberta are required to utilize the Surrogate Digital Service (SDS) for all applications that SDS is capable of processing. When new features are released on SDS, the Court will allow a two week grace period, during which paper-based GA applications can be submitted to the Court for clerk review. After the grace period, paper applications that could have been submitted on SDS may be rejected by a clerk.

Please refer to <https://surrogate.alberta.ca/help> to find out what SDS can and cannot accept.

About surrogate reform and modernization in Alberta

Amendments to Alberta's Surrogate Rules took effect on June 15, 2022 reflecting significant reform in the estate grant application process. When the amendments came into effect, the Clerks' responsibilities, at the time of an application, were limited to:

- Reviewing death documentation relating to the subject of the application;
- Where there is a will, reviewing evidence of proper execution in accordance with statutory requirements;
- In the event of an intestacy, confirming priority to apply for a grant; and
- Ensuring proper notice of the application is provided to interested parties.

Additional changes include reversal of the current order of service and filing, and a requirement to serve interested parties with notice of when the grant has been issued.