

Probate

Under SRA rules, we are required to publish information regarding our fees and services in relation to the administration of a deceased person's estate (also referred to as "probate"). We are required to publish information regarding our fees and services in relation to *uncontested* probate cases where *all of the assets are in the UK*.

However, every estate is different, and our fees will reflect the individual circumstances of the matter. For example, if there is a Will and one beneficiary and no house (property), fees will be lower than if there is no Will and / or multiple beneficiaries, a house and numerous bank accounts and investments. **Because of this, we cannot give you a reliable estimate of our fees until we have further information. Please therefore contact a member of our friendly, professional team who would be happy to discuss matters with you, confirm your requirements and provide you with a reliable estimate.**

We have set out below our starting and average fees for a typical probate scenario, but these figures may vary in cases with special complications. This is why we will always give you an individual cost estimate at the outset. Furthermore, if unexpected complications arise, we will always inform you of that immediately and will discuss the consequences of any such complications before incurring extra fees. We have also set out the likely disbursements (charges related to your matter that are payable to third parties). Additional disbursements will apply if there is no Will. Occasionally, there can be unforeseen disbursements and / or disbursements can be higher than the figures given.

A. Our Fees

Our friendly team of experts will handle the full process of applying for the Grant of Representation (the official document confirming who the Personal Representatives are and their authority to act), collecting and distributing the estate.

This quote is for estates where:-

- There is a valid Will
- There is no more than one property
- There are no more than 5 bank or building society accounts
- There are no other intangible assets
- There are no more than 3 residuary beneficiaries who are all adults and are immediately entitled
- There are no disputes between beneficiaries on division of assets
- There is no inheritance tax payable (and it is an excepted estate which requires the shorter form of account to be submitted to HMRC)
- There are no reliefs to be applied for from inheritance tax
- There are no claims made against the estate

Our fees start at £2,000.00 plus VAT and disbursements.

Our average fees are £4,000.00 plus VAT and disbursements.

In some cases, a value element may also be charged (see below).

Disbursements that usually apply are:-

- Settling fee - £15.00 (no VAT)
- Swearing fees - £5.00 plus £2.00 per exhibit per Personal Representative (no VAT)

- Probate application fee -£155.00 plus £0.50p per sealed copy (no VAT)
- Bankruptcy search - £2.00 (plus VAT) per beneficiary
- Notices in the London Gazette and local newspapers (such notices help to protect against unexpected claims - £150.00 to £250.00 (plus VAT))

Value Element

The Law Society permits solicitors to charge a value element on probate matters. The value element is payable in addition to our fees, VAT and disbursements.

The amount of the value element is set by the Law Society and is:

0.5% of the value of realty (land and property)

1.0% of the value of personalty (cash, savings, shares, investments etc.)

We do not always charge the value element. In making a decision, we will consider the circumstances of each case and make an assessment of risk. For examples of relevant factors taken into consideration, please see below.

Relevant Factors

Every estate is different and so it is important we consider each individual matter carefully before confirming an estimate. We have set out below some of the factors that we take into consideration once we have further information whereupon we can provide a reliable estimate and confirm whether or not a value element will be charged.

- Whether there a valid Will
- Who are the Personal Representatives? Can we easily identify them?
- The value of the estate
- Is the estate subject to Inheritance Tax?
- Are there any available reliefs for Inheritance Tax (including the Transferrable Nil Rate Band and the Residence Nil Rate Band)?
- Is there agricultural property?
- Are there business assets?
- The number of bank accounts
- The number of other investments
- The number of beneficiaries (and their ages)
- Whether there are disputes between beneficiaries
- Are there any ongoing Trusts?
- The person in charge of your matter and their hourly charge-out rate

Our Services

We will always agree the services included in our estimated fee and confirm this (in writing) at the outset. However, we have set out below some of the services that are included:-

- Provide you with a dedicated and appropriately experienced member of our team who will be your main point of contact
- Meeting with you to take your instructions and give initial advice
- Identify whether there is a Will
- Identify the legally appointed executors or administrators and beneficiaries
- Advise the legally appointed executors or administrators on their duties and responsibilities

- Ascertain whether the estate is subject to Inheritance Tax
- Determine whether any reliefs from Inheritance Tax should be applied for
- Advise you on the type of Probate application you will require and the process
- Complete the probate application and HMRC forms
- Draft the legal Oath
- Make the application to the Probate Court on your behalf
- Arrange the payment of Inheritance Tax from the estate
- Obtain Probate
- Collect in and distribute all assets in the estate

You may require additional services that are not included in the estimated fee, for example:-

- Selling or transferring property
- Preparing Tax Returns
- Advising on / creating / managing any on-going Trusts
- Deeds of Variation (used to vary the terms of a Will)

If you require any services not included in the estimated fee, we will always discuss this with you, provide you with a further estimate and / or refer you to someone who can help.

B. How long will your matter take?

This will depend on a number of factors, such as whether there is a valid Will, the value, number and nature of the assets in the estate and whether inheritance tax is payable. On average, estates that are not subject to inheritance tax are concluded within 3 to 12 months. Typically, obtaining the grant of representation takes between 6 to 12 weeks. Collecting assets takes between 2 to 4 weeks (if there is no house or other land or property). Distributing the estate takes between 1 week to 8 months (depending upon the Personal Representatives' instructions regarding waiting a full 10 months post the date of the Grant of Representation).

C. Who will be dealing with your matter?

Click on the link to view members of our Private Client Team:-

Lynette Viney-Passig, Sarah Noton, Yvonne Hughes, Emma Deering, Shaun Hughes, Rebecca Robinson, Sian Thompson, Jennifer Howell, Anna Lloyd Edwards, Sarah Pierce, Kristin Charlton, Danielle Perrin, Emma Riley, Sophie Hall, Megan Edwards