

## Our Probate Fees

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**The information contained within this note is intended as a guide only and sets out the likely costs involved when we administer an estate.**

There are a number of factors which will affect the overall costs and time it takes to administer an estate, including whether inheritance tax is payable and the type and number of assets in the estate. As every estate is unique, we would encourage you to contact us for an initial discussion so that we can provide you with our best estimate of the likely costs and time involved.

### Our hourly rates

Unlike some firms, we do not charge a percentage of the estate for dealing with the administration. Instead, we charge on a time basis at agreed hourly rates from the outset. We have a number of solicitors and legal assistants within our team (see our team below) with different levels of experience and our current hourly rates are as follows:-

- **Partner:**  
£375 - £420 plus VAT
- **Senior Associate Solicitor:**  
From £285 plus VAT
- **Solicitor:**  
£215 plus VAT
- **Legal Assistant/Senior Legal Assistant**  
£100 - £125 plus VAT

We review our hourly rates annually and will notify you in advance of any changes. All work is supervised at a partner level and work is allocated to suitably experienced members of the team in order to keep costs down as much as possible.

### How we estimate our fees

Through our experience, estates typically fall into the following ranges listed below:-

Type of estate	Likely fees based on time spent
Simple UK Estate	£5,000 - £10,000 plus VAT of £1,000 - £2,000
Complex Estate	£15,000 - £30,000 plus VAT of £3,000 - £6,000
Highly Complex Estate	£40,000 - £75,000 plus VAT of £8,000 - £15,000

A simple estate would typically involve a valid straightforward will with a small number of easily identifiable beneficiaries and consists of a few UK bank accounts and a residential property. There would usually be no inheritance tax to pay and no foreign or business assets.

A complex or highly complex estate may include additionally a number of investments, and/or insurance policies, and/or business assets, and/or pensions and trusts. There may even be foreign assets involved. The will may have a number of specific and cash legacies and may also have trusts involved. Tax would usually be payable and claims for certain reliefs may need to be considered.

### Timescales to administer an estate

Typically, it takes around 3-6 months to obtain a Grant of Representation, and a further 6-12 months to collect the assets and distribute estate funds. Usually, the simpler an estate, the less time it takes to administer.

However, estates which are apparently simple can prove to be complicated and take much more time than is envisaged at the outset. Similarly, a large estate may prove to be straightforward. Difficulties may arise for any number of reasons.

Typical problems which may substantially increase costs and the time taken are:

- the need to go through and sort out numerous old papers;
- searching for details of lifetime gifts which the deceased may have made;
- difficulty in realising assets or in settling tax or other liabilities;
- difficulty in tracing beneficiaries or in dealing with beneficiaries who are under age;
- foreign property and the need to liaise with foreign lawyers;
- trusts in which the deceased had an interest;
- agricultural or business property, especially Lloyd's assets which cannot be wound up for at least three years;
- there may also be scope for tax planning and consideration of a Deed of variation (varying the effect of the Will or the intestacy rules).

Other factors which may affect the overall cost and time includes:-

- the complexity and range of assets and debts;
- the amount of assistance the beneficiaries request of us;
- unforeseen complications;
- the speed at which third parties respond to our request for information; and
- issues raised by HM Revenue and Customs which may cause extra work to be undertaken and may lead to increased charges.

As no two estates are the same, it is difficult to provide an exact estimate of the costs involved in dealing with an estate or how long it will take to complete.

## Disbursements

Disbursements are costs related to the administration of an estate which are payable to a third party. The following disbursements are likely to be incurred:-

Disbursement Expense	Likely amount	When Payable
<b>Advertisements for Creditors</b>	£250 - £350	Usually within the first 3-6 months immediately after the Grant of Probate
<b>Bankruptcy Searches (in UK)</b>	£2 per name	
<b>Beneficiary verification and Identity check</b>	£25 + VAT per beneficiary	
<b>Chattels Valuation</b>	Usually arranged by client	Usually within first 1-6 months
<b>Probate Court application fee</b>	£273	Usually within first 3-6 months
<b>Copies of the Grant of Probate</b>	£1.50 per copy	Usually within first 3-6 months
<b>Estate Full Asset Search</b>	£186 inc VAT	Commencement of the administration
<b>Certainty Will Search</b>	£114 inc VAT	Commencement of the administration
<b>Probate Software Unit Charge</b>	£91.50 + VAT	
<b>Probate Valuation of House/Flat</b>	Usually arranged by client	Usually within first 1-6 months

## Work that is included

The key stages of work that we carry out include:

- ✓ Advising you with regard to obtaining the appropriate Grant of Representation of the estate;
- ✓ Assessing the value of the deceased's estate by way of writing to banks, building societies and other asset/liability holders of which we are aware;
- ✓ Preparing the appropriate HM Revenue and Customs Inheritance Tax forms and Legal Statement;
- ✓ Submitting the application to the Probate Registry;
- ✓ Collecting all of the estate assets and discharging all of the liabilities of the deceased;
- ✓ Arranging legacy payments (if any);
- ✓ Ascertaining the balance of the estate and distributing it or holding it in a trust under the terms of the Will or the rules of intestacy; and
- ✓ Preparing the Estate Accounts setting out full details of the administration of the estate.

## Work that is not included

To help avoid any misunderstanding, we bring to your attention that our estimates do not include assisting you with or providing advice on the following:

- ✗ The sale of a property.
- ✗ Negotiations with HM Revenue & Customs as to the valuation of any assets.
- ✗ The Deceased's Income Tax and Capital Gains Tax affairs prior to death.

- ✗ The estate's Income Tax and Capital Gains Tax affairs.
- ✗ If further assets are discovered after the submission of the appropriate HM Revenue and Customs forms, this information must be reported to HM Revenue & Customs which would be your responsibility. If this occurs after the completion of the administration of the estate, we can assist you and a separate client care letter will be sent to you.
- ✗ Litigation affecting the administration of the estate.
- ✗ Investigation of PPI claims.

It is your obligation to employ appropriately qualified third parties to obtain such additional advice as may be needed.

**Fixed fees – where no inheritance tax return is required**

If you are considering instructing us to simply assist you with your application for obtaining a Grant of Representation, we will charge a fixed fee in the sum of £1,500 plus VAT plus the relevant disbursements discussed above. This would only include:-

- ✓ Advising you with regard to obtaining the appropriate Grant of Representation of the estate;
- ✓ Preparing on the basis of information provided by you, the Legal Statement; and
- ✓ Submitting the application to the Probate Registry.

Once the Grant of Representation is provided by the Probate Registry, we will send this to you so that you can deal with collecting and distributing the estate.

Please note that this service is not available if any of the following apply, whereby:-

- The deceased made gifts or gave up the right to assets held in trust for them totalling more than £150,000
- The deceased made a gift where they continued to benefit from or had some right to benefit from part or all of the assets (such as a property)
- The deceased made a gift whereby the person receiving it did not take full possession of it
- The deceased had a right to benefit from a Trust
- The deceased owned or benefitted from assets outside the UK
- The deceased paid premiums on a life insurance policy that was not for their own benefit or passes outside of their estate
- The deceased changed or disposed of their private pension within the two years prior to their death
- The residence nil rate band or transferable residence nil rate band is to be claimed (because this requires an IHT400 and supplemental schedules)
- In any circumstances where the probate application must be made on paper (rather than electronically via MyHMCTS)