

## Our charges for uncontested Probate applications.

Probate relates to the official proving of a Will (if any) and the right to oversee the estate of the deceased. The process of overseeing the estate of a person who has died can be difficult and time consuming. We understand that this complex area of law requires empathy and sensitivity, as it can easily become overwhelming.

Our aim is to make the process as straightforward as possible and our experienced team offer a caring and supportive approach, helping you through each stage.

The type of application for probate you may need is based on the value of the assets in the estate, the destination of the gifts under the will or intestacy (person who dies without a Will), the age of the beneficiaries and what has occurred during the deceased's lifetime by way of gifts or the creation of trusts.

The exact cost will depend on your individual circumstances and preferences. We currently offer a fixed fee service and an hourly rate service. Please see below for a further breakdown and explanation.

### Fixed Fee:

We can offer fixed fee prices for Grant only applications. The Grant of Representation is legal confirmation of your authority to deal with the assets.

For Grant only applications, you will need to supply us with a total value of your assets and liabilities. We will then complete the tax papers and obtain the Grant of Representation for you.

The price of grant only applications is dependant and is assessed on the size of the estate.

Size of Estate	Type of Grant	Time scales	Cost
Small	IHT 205	Typically up to 3 Months	£650.00
Large	IHT 400	Typically takes up to 8-10 months	£1,950.00

Any Inheritance Tax has to be paid first and no later than 6 months from the end of the month in which the person has passed away.

Our fees are payable when the Grant is issued. We reserve the right to deduct the previously agreed fee from money passing through our client account.

### Hourly Rate:

This service may be more suitable where an administration is complex or will take more of your time than you can spare. We will do as little or as much as you require.

In some cases we will be able to offer 2 different pricing options:

- A flat hourly rate which will involve an estimate that we **may** exceed. Our flat hourly rate is £200.00 per hour.
- A higher fee above the estimate where we guarantee a maximum price above which we will not charge you.

A typical cost for an estate with a house, 2 bank accounts and some premium bonds could be in the region of £2,000.00 – £3,000.00. An estate with two properties, stocks and shares and some bank accounts, leaving everything between 5 charities and 5 family members could be in the region of £6-10,000.00.

This would not include:

- The property sale or maintaining the house before sale
- Any interests in property owned by the deceased outside the jurisdiction of England and Wales
- The constitution of Trusts set up by the deceased under the Will
- The administration or closing down of any Trusts in which the deceased was a beneficiary at the date of death
- Deeds of Variation
- Capital Gains Tax and Income Tax returns for the administration period or pre death
- Personal taxation of the estate beneficiaries
- Business or farming advice
- Any queries raised by the Probate Registry on the validity of the Will
- Any queries raised by the Capital Taxes Office on the estate or the information provided by you.

No one estate is the same.

#### **Administration of Estates:**

Administration of Estates refers to the management and settlement of estates of a deceased. Both the law and the Inland Revenue anticipate that an estate administration may take up to 2 years.

There are disadvantages to distributing assets too soon.

We have always completed our administrations, to date, within the 2 years, and often with 9 months to spare. It will become clear, during the administration, if there are complexities that will add to this, such as:

- Foreign assets
- Missing beneficiaries
- Multiple beneficiaries
- Ambiguities inherent in the Will

#### **Billing Process:**

We do not expect you to pay any issued bills where assets have not yet been realised, except where we are aware that this is happening due to you failing to actively administer the estate.

We reserve the right to deduct previously agreed fees from money passing through our client account and to stop working for you in the event of non-payment.

On the hourly rate service bills will be issued every 3 months, and all prices quoted are subject to VAT.

#### **Possible Disbursements:**

These payments may be payable to third parties, such as Court fees. These disbursements are not set by

us but we will handle all payments on your behalf to ensure a smoother process. Some disbursements may or may not be relevant to your case; some are optional but may prove to be beneficial.

Disbursement	Cost	Further Information
Trustee Act Notices in a local newspaper and the London Gazette.	£300.00 (Approx.)	Helps to identify unknown creditors and protects against unexpected claims.
HM Court Service Probate fee	£155.00	Payable to the Probate Registry in order to obtain the Grant.
Sealed Office Copy Grant	50p	The fee applies per copy requested.
Unclaimed Assets Register Search	£25.00	To discover assets which may have been lost.
Land Charges Search/Bankruptcy	£2.00	The fee applied to each name searched.
Office Copy Register Entries	£6.00	Relating to the Property.

**Key stages:**

These would be:-

- a) Checking the validity of any Will
- b) Ascertaining the beneficiaries under the Will or intestacy
- c) Ascertaining the value of the assets and liabilities
- d) Payment of any Inheritance tax
- e) Obtaining the Grant of Representation – this is where the tax form and Oath are relevant and can be done under our fixed fee scheme without any of the other steps
- f) Collecting in and distributing the assets

We believe that the best way for you to understand your pricing options further is to come in and see us, free of charge and with no obligation. This will allow us explain to you what type of administration you can expect to have to undertake.

If you would like to go ahead and use our expertise you are not committed to use our services until we have agreed a fee structure with you.

We believe that any quotation where details have not been taken, nor a summary of the specific facts, may be misleading.

Your work will be carried out by Miss Nicola Briggs LL.B (Hons). Nicola, after studying law at Manchester University and Guildford College of Law, won a training contract at a prestigious Manchester City Centre law firm. When at University she won the University prize for coming top in the Wills and Probate paper. She qualified in 1985 and has many years' experience in property and private client work. As a senior solicitor, she is used to dealing with complex matters.