

PROBATE FEES

Personal Representatives (PR's) are the persons who are appointed by the Will, or if no Will was left, the next of kin. Acting as a PR is an important responsibility. PR's must put the interests of the beneficiaries before their own interests and must always act in the interests of the estate.

In order to carry out these duties, they have to find out the value of all property and possessions (the estate), they must ensure that all debts are paid out of the estate and distribute the remainder to the beneficiaries.

The PR's will usually need to apply for a Grant of Probate, if a Will has been left, which is proof that the Will is valid, or a Grant of Letters of Administration where there is no Will.

We have a wide range of experience in Probate practice to offer you. We can help and advise you on legal points and practicalities, complete necessary paperwork, calculate any tax liabilities, assist with arrangements for payment of tax, and ensure that the administration is completed with the minimum of stress and worry to you.

GRANT ONLY SERVICE

Our Grant only service can be a cost effective way to obtain a Grant of Probate for a simple estate. Using this service, we will prepare the Oath and Tax Form in order to obtain a Grant of Probate (or Grant of Administration if there is no Will) using information provided by the family. The family will be responsible for dealing with the estate once the Grant has been received.

Our Grant only fees shown below are for a simple estate based on the following assumptions:-

- There are no foreign assets
- There are no disputes between beneficiaries and/or executors;
- There are no claims made against the estate
- There is no Inheritance Tax payable and the executors do not need to submit a full account to HMRC.

Grant Only (simple estate) £750 plus VAT at the applicable rate (currently 20%) making a total of £900

plus payments to others as detailed below

Legal Costs will vary from the above if the estate is liable for Inheritance Tax and/or a transferable nil rate band application is required and/or the residence nil rate band has to be applied for. We are happy to agree a fixed fee in these circumstances when we have discussed the details with you and have an idea about the likely amount of work involved. Please bear in mind that costs involved much depend on the individual circumstances of the matter.

Payments to others

- HMCTS Court Fees - £155.00 for obtaining the Grant, £12.00 for settling the Grant (if applicable) and £0.50 for each sealed copy of the Grant
- Statutory Advertisements which can protect against claims from unknown creditors - The London Gazette Notice costs around £100
- Commissioners Fees - £5 per person for the Oath and £2.00 per exhibit but these will be higher if we arrange for the Commissioner to come to our office to do this for you and for 2 Executors will be £26
- HM Land Registry search Fees - £3.00 per entry.

Timescales

On average, from the time you instruct us and provide full information about the estate so that we can prepare the paperwork to obtaining the Grant is about 6-8 weeks. However, this depends on how quickly the Probate Registry deal with your application or whether any unforeseen complications arise during the process.

As part of our fixed fee we will:

- Provide you with a dedicated and experienced probate solicitor to work on your matter
- Prepare a legal Oath for you to swear and any necessary tax forms
- Arrange for a Commissioner to swear you to the papers at our offices
- Make the application to the Probate Court on your behalf
- Obtain the Probate and send copies to you so that you can then deal with the administration of the estate without our further involvement

Grant application and administration of the estate Service

Our full estate administration service will provide you with expertise throughout the entire Probate process which will include:

- Providing initial advice
- Gathering the necessary evidence needed for the Probate application
- Applying for the Grant of Representation
- Collecting in the estate assets
- Paying tax, liabilities and legacies
- Dealing with HMRC negotiations
- Preparation of full estate accounts and tax returns
- Distributing the residue of the estate to the entitled beneficiaries.

Our fees for this will vary depending upon the terms of the Will (or if the deceased died intestate), the size and complexity of the estate and the type of assets involved.

As a guide, the fees for full estate administration will typically start from £2,000 - £5,000 plus VAT for a very straightforward estate whilst fees for complex estates can exceed £10,000 plus VAT.

Before undertaking any work, we will meet with you to review the Will and discuss the estate. We will give you our full fee scale so that you have an idea of how much it will cost you. The exact cost will depend on the individual circumstances of the matter. For example, if there is one beneficiary and no property, costs will be at the lower end of the range. If there are multiple beneficiaries, a property and multiple bank accounts and shareholdings, costs will be at the higher end. If you instruct us to carry out the Conveyancing work for the sale of any property contained in the estate, this will be subject to a separate Conveyancing legal fee, VAT and usual payments to others.

Timescales

On average in England and Wales it takes between 9 and 12 months to obtain a Grant of Probate and to complete the Estate administration process. This can take much longer in complex Estates, and where unforeseen delays arise, such as if there is no Will, and complex estates can take up to several years to complete.

Our Probate Team:

Beverley Jones, Supervising Partner (LLB Hons) who has in excess of 20 years' experience in all aspects of Wills, Probate and estate administration

David Williams, Partner (LLB Hons) who has in excess of 30 years' experience in all aspects of Wills, Probate and estate administration

James Briggs, Consultant (LLB Hons) who has in excess of 30 years' experience in all aspects of Wills, Probate and estate administration