

Legal Fee Information for Uncontested Probate
Application for a Grant of Probate or Letters of Administration only

Introduction

Probate is the court-supervised process of gathering a deceased person's assets, paying debts and taxes and distributing what is left to those who are named as inheritors, in the Will.

Uncontested probate is where there is no dispute over the Will and distribution of assets.

Below we provide you with information on our Legal Fees, disbursements and the length of time it will take to complete your matter.

Legal Fees and Disbursements

Legal Fees are the amount you will be required to pay for all the work performed by us in actioning your instructions from commencement of your case to conclusion.

VAT will be payable on our fees and some disbursements, **currently 20%**, and we will clearly confirm which disbursements carry VAT in our formal quotation or as we advise you to incur them.

If your matter becomes complex (see below) our fees may increase further and we will notify you in advance of any increased costs.

Application for a Grant of Probate or Letters of Administration only

Estates Not Liable for Inheritance Tax: Our average standard legal fees for Obtaining a Grant of Probate or Letters Of Administration only where there **is no** inheritance tax is payable in an uncontested probate matter are £1,500.00 – £1,800.00 plus VAT (a total of £1,800.00 - £2,160.00 Inc. VAT) and disbursements.

- Our average standard legal fees for obtaining a Grant of Probate or Letters of Administration only are £1,500.00 – £1,800.00 plus VAT (a total of £1,800.00 - £2,160.00 Inc. VAT) and disbursements (see below). The application for the Grant of Probate will be made based on the information relating to the assets and liabilities of the estate that you provide us with. This estimate is based on current information as presented to us which concludes that this estate **does not** require a full IHT400 estate account to be supplied to HMRC. If, during the course of our instructions this changes, then we will discuss with you an increased estimate.

Estates Subject to Inheritance Tax: Our average standard legal fees for Obtaining a Grant Of Probate Or Letters Of Administration only where inheritance tax **is payable** in an uncontested probate matter are £1,800.00 - £2,400.00 +VAT (a total of £2,160.00 - £2,880.00 Inc. VAT).

- Our average standard legal fees for obtaining a Grant of Probate are £1,800.00 - £2,400.00 +VAT (a total of £2,160.00 - £2,880.00 Inc. VAT) and disbursements (see below) where inheritance tax **is payable** in an uncontested probate matter. The application for the Grant of Probate will be made based on the information relating to the assets and liabilities of the estate that you provide us with.

Key Stages: As Part of our fixed fee, we will:

- Provide you with a dedicated and experienced probate lawyer to work on your matter,
- Review the documentation that you provide to us,
- Identify the legally appointed executors or administrators and beneficiaries,
- Accurately identify the type of Probate application you will require,
- Complete the Probate Application and the relevant HMRC forms on your behalf and send them to you for signing or sworn,
- Make the application to the Probate Registry on your behalf,
- Obtain the Probate and securely send the sealed copies to you

Our average fees assume that:

- a) The transaction is concluded in a timely manner and no unforeseen complication arise.
- b) All parties to the transaction are co-operative and there is no unreasonable delay from any parties providing documentation.

We will not:

Please note, our instructions are limited to obtaining the Grant of probate or Letters of Administration and not dealing with any further work, such as collecting in the assets, paying liabilities and making distributions.

We will not deal with the sale or transfer of any property in the estate – please see below*.

Please note that this firm does not deal with contested matters and if this should arise a Solicitor who specialises in such matters would need to be instructed and our file sent to them.

Disbursements

In addition, there are disbursements which must be paid to third parties. We handle the payment of the disbursements on your behalf and may require a payment on account of these.

- Probate court fee of £300 plus £1.50 for each additional copy of the Grant
- Client ID check £6.00 (no VAT)
- Bankruptcy-only Land Charges Department searches £6.00 per beneficiary (no VAT)
- Bankruptcy & ID check £12.00 per beneficiary (no VAT)
- Office copy entry from Land Charges Department to check ownership of property £7.00 per property (no VAT)

Potential/Recommended Disbursements:

We also advise executors to carry out other processes to protect themselves against claims from creditors once they commence the collecting in and distributing of assets. Such processes include: –

- Placing statutory advertisements in The London Gazette – Protects against unexpected claims from unknown creditors approximately £98 + vat (£117.60 inc. VAT)
- Placing statutory advertisements in a Local Newspaper, again to help protect against unexpected claims approximately £120 - £250 + vat (£144.00 - £300.00 inc. VAT)
- Carrying out financial asset search £195 + vat (£234.00 inc. VAT)
- Search of the Will database with Certainty £140.00 (no VAT)

If you ask us to undertake these things on your behalf, they will increase the basic costs quoted above.

Other Costs

- To comply with anti-money laundering legislation and satisfy our regulatory commitments, we carry out online bankruptcy and identity checks on all clients and, in probate matters, on each beneficiary. Our fee for this is £12.00 per beneficiary (no VAT). This fee is payable on all cases and is in addition to the fees quoted above.
- We will charge the sum of £50.00 plus VAT (a total of £60.00 Inc. VAT) for electronic money transfers.

Disbursements are costs related to your matter that are payable to third parties. We handle the payment of the disbursements on your behalf to ensure a smoother process.

Potential additional costs

Unfortunately, it isn't always possible for us to identify any issues that may increase your costs when you first instruct us to act for you. However, our many years of experience means that we know that if the following issues arise, they are likely to increase the legal fees payable and the time the matter will take: –

- If there is no will or the estate consists of any share holdings (stocks and bonds) there is likely to be additional costs that could range significantly depending on the estate and how it is to be dealt with. We can give you a more accurate quote once we have more information,
- Where there is property abroad,
- Where there are existing trusts
- Where there is Inheritance Tax (IHT) to pay**
- If there are multiple beneficiaries, properties and multiple bank accounts
- Where there is a business interest,
- Where there are many bank and/or building society accounts,
- Not having all of the paperwork available, or having missing or incorrect information that needs investigation and correction
- Third parties not responding to our communications promptly

*Additional charges will be incurred if there is a property to transfer or dispose of. We will be happy to offer a fixed fee for any conveyancing transaction.

Estates over £325,000 may be subject to Inheritance Tax at the prevailing rates. **To help you decide whether any Inheritance Tax is likely to be due or not, you can visit:

<https://www.gov.uk/valuing-estate-of-someone-who-died/estimate-estate-value>

At times it may become necessary to increase the cost estimate. This may, for example, be because further large assets and/or foreign assets are discovered.

As soon as any complications arise, we will discuss these with you and agree the fee for the additional work being carried out in advance of any additional work being undertaken.

How Long Will It Take

Typically, obtaining the grant of probate can take about 8-12 weeks but this depends on how quickly the information is gathered together to make the application and also the workload of the Probate Service.

Once the Grant has been issued the administration of the estate can start with the gathering in of assets in the estate, for example, monies in deceased's bank account.