

Costs for Probate

The complexity of probate matters depends on a large number of factors and so our costs vary from case to case. However, we will try to provide you with an idea of what our costs may be in certain circumstances.

All costs estimates set out below are in relation to probate matters where no dispute has arisen or is likely to arise in the course of the administration of the estate.

We offer different levels of service according to your requirements. We offer a **Grant Only Service** which is usually on a fixed fee basis and we offer a **Full Administration Service** where we usually charge on the basis of the time that we spend in dealing with the matter.

1. Grant Only Service

Where you opt for our **Grant Only Service**, we will guide you as to what information is required for the Probate application. Once we receive this information from you, we will complete the Probate documentation on your behalf and then submit the application to the Probate Registry. When we receive the Grant of Probate back from the Probate Registry, we will give you the sealed copies of the Grant so that you can deal with the administration of the estate yourself.

There are, generally speaking, two main types of probate applications: where a full Inheritance Tax account is required (IHT400), and where only a summary account is required (IHT205).

A full account is usually required in an estate where Inheritance Tax (IHT) is payable, though there are some circumstances in which no tax is payable but a full account is still required. A summary account is usually required in an estate where no IHT is payable, though an extra form is sometimes needed in order to claim the full available tax allowance.

Our usual costs for obtaining the Grant are as follows:

- £500 plus VAT for obtaining a Grant where only a summary account is required.
- £600 plus VAT for obtaining a Grant where both a summary account and the additional form IHT217 are required.
- £1,000 plus VAT for obtaining a Grant where a full IHT account is required but there is no IHT to pay.
- £1,500 plus VAT for obtaining a Grant where a full IHT account is required and there is IHT to pay.

These estimates usually cover the following work:

- An initial meeting with the personal representatives to discuss the general circumstances and where you will provide us with information of any assets and liabilities of the estate.
- Completing the forms that make up the summary account or full IHT account.
- Where a full IHT account is required or IHT is payable, corresponding with HMRC in this regard and arranging for the IHT to be paid.
- Preparing the other documentation required to obtain the Grant and submitting this to the Probate Registry.

Please bear in mind that these figures are estimates only and the exact costs will depend on the individual circumstances of the matter. If, for example, a Deed of Renunciation is required or if the Grant is being obtained in an estate where the deceased died many years ago or if you would like us to place Statutory Notices on your behalf, our costs are likely to be higher.

If you would like us to help with limited aspects of the administration of the estate, as well as simply obtaining the Grant, we would usually charge for this additional work on a time-spent basis, as discussed below.

2. Full Administration Service

Where you opt for our **Full Administration Service** we will obtain probate values for all assets and make the application for the Grant on your behalf. Once we receive the Grant back from the Probate Registry we will deal with all of the assets as appropriate and pay any liabilities. We will make legacy payments and deal with the distribution of the estate. We will prepare final estate accounts.

Our costs for dealing with the full administration of an estate are usually calculated on a time-spent basis and will depend on the amount of work required to be undertaken. The hourly charge out rates of the lawyers in our Probate Department range from £165.00 plus VAT to £225.00 plus VAT. The hourly charge out rate of an individual lawyer will depend on their experience and expertise.

The factors determining costs for the administration of an estate include, but are not limited to: the size of the estate; the number of asset holders we need to get in touch with; location of assets and whether any are held outside of England and Wales; whether there are any business or agricultural assets; the number of beneficiaries and whether any of them need to be traced; whether we are required to complete a final Income Tax return; whether HMRC queries the IHT calculations provided or the valuation of a property; the length of any meetings held with the personal representatives; and the volume of calls, letters, and emails we receive from personal representatives, beneficiaries and third parties. This list is not exhaustive but hopefully provides some idea of why costs in this area will vary.

In full estate administration matters where our more experienced lawyers are instructed, and where the estate is not particularly complex, we usually charge between £2,500 plus VAT and £6,500 plus VAT. This estimate would usually cover the following work:

- An initial meeting with the personal representatives to discuss the general circumstances and any assets and liabilities of the estate.
- Contacting all asset holders to obtain the information required to complete the probate application paperwork.
- Obtaining a Grant of Probate/Letters of Administration where no IHT is due and there is no requirement to complete a full Inheritance Tax account.
- Collecting in or transferring assets, and paying liabilities.
- Preparing estate accounts.
- Distributing the balance according to the terms of the Will or the Intestacy Rules.

In slightly more complicated matters, for example where IHT is payable or where there are a large number of asset holders to contact, we usually charge between £4,500 plus VAT and £10,500 plus VAT.

These estimates do not include dealing with the sale or transfer of any properties in the estate, administering or preparing documentation regarding any trusts contained in the Will or connected to the estate, preparing Deeds of Variation, or advising on the individual tax positions of those involved in the administration.

We will be able to provide you with a more accurate estimate once we have more information on the estate you are dealing with.

Expenses

(This is not an exhaustive list and relates to both our **Grant Only Service** and our **Full Administration Service**)

Expenses are costs related to your matter that are payable to third parties, such as court fees. It is our practice for the Executors/Administrators to provide the funds to cover these expenses if there are no funds readily available in the estate. You may be reimbursed from the estate at a later date.

Typical expenses in probate matters include:

- £155 payable to the court for the probate application.
- £0.50 for each official copy of the Grant sealed by the court.
- £5-£9 for each person swearing the Oath for Executors/Administrators.
- £2 for Bankruptcy-only Land Charges Department searches for each beneficiary (Full Administration Service only).
- Approximately £150-£200 for statutory notice fees (this is not always required and is not usual on our Grant Only Service).
- Approximately £250 for obtaining a Chartered Surveyor's valuation of a property (this is not always required and is not usual on our Grant Only Service).

Please note that the probate application process will be changing within the next few months and, once these changes are fully implemented, the fee for swearing the Oath will no longer be required.

Expenses are not included in the estimates above and will be payable in addition to our costs.

How long will this take?

(This relates to both our **Grant Only Service** and our **Full Administration Service**)

On average, obtaining a Grant of Probate/Letters of Administration where no tax is payable takes between 6 and 8 weeks. Obtaining a Grant of Probate/Letters of Administration where tax is payable can take between 2 and 4 months.

On average, full estate administration matters that fall within the £2,500 plus VAT to £6,500 plus VAT range are dealt with within 4 to 10 months. Full estate administration matters that fall within the £4,500 plus VAT to £10,500 plus VAT range can take between 6 and 18 months to complete.

As with our costs estimates, the length of time taken to fully administer an estate will depend on a number of factors, and quite often on the speed at which third parties respond to us.

We will be able to give you more accurate timescales for each part of the process once we have more information on the estate you are dealing with.