

PROBATE

Pricing Information

This document sets out the pricing guidance for probate matters where:

- ▶ There is a valid, uncontested Will; and
- ▶ All of the estate assets are within England & Wales.

Applying for the Grant of Probate (Grant), collecting and distributing the estate assets

Price

Legal Fee

Where we are instructed in relation to applying for the Grant and, thereafter, collecting and distributing the estate assets (where all assets within England & Wales only) then our typical fees will range from £3,000 to £5,000*.

This range does not include VAT (currently charged at 20%) which will be added to the invoice nor does it include any associated disbursements (see below).

The above fee range based on hourly rates of between £105 - £735. The applicable hourly rate will depend on a number of factors including the complexity of your matter (which impacts on the qualifications and experience of those dealing with it) and the geographical location of the fee earners working on your matter.

* Our fee range above assumes that:

- ▶ There is a valid, uncontested Will;
- ▶ All of the estate assets are within the jurisdiction of England & Wales;
- ▶ There is one property which does not need to be sold (if a property does need to be sold, our residential conveyancing colleagues would be delighted to assist you – please see our [prices for the sale of residential properties](#)).
- ▶ There are no more than 2 bank or building society accounts;
- ▶ There are no intangible assets – i.e. stocks and shares and/or other investment assets;
- ▶ There are no more than 2 beneficiaries;
- ▶ There are no disputes in relation to the Will and/or between executors and/or beneficiaries on any matters including (but not limited to) the division of the estate assets;
- ▶ There are no claims made against the estate by any beneficiary or any third party;
- ▶ There is no inheritance tax payable from the estate and the executors do not need to submit a full inheritance tax account (Form IHT400 and its supplementary schedules) to HM Revenue & Customs;
- ▶ There are no business and/or agricultural assets of the estate;
- ▶ no advice required as to the availability of any associated reliefs from tax;
- ▶ There are no income tax and/or capital gains tax issues to attend to in relation to the estate;
- ▶ That no investment advice is required; and
- ▶ There are no ongoing trusts established by the Will.

The exact cost will depend on the individual circumstances of the matter. For example, if there is one beneficiary, one bank account and no property the cost will be at the lower end of the above range. Alternatively, if there are two beneficiaries, a property and two bank accounts, costs will be at the higher end of the above range.

If your matter is of a more complex nature which would not fall within the fee range provided above then we would be delighted to provide you with a bespoke fee estimate in order to carry out the work on your behalf.

Once we have more information about your matter we will be able to provide you with a bespoke fee estimate.

What is included in the fee?

Our fee range above is intended to cover all of the work required to administer the estate of the deceased, including obtaining the Grant, collecting the estate assets and distributing these in accordance with the terms of the Will.

This may include:

- ▶ Collecting details of the estate assets (and liabilities) as at the date of death;
- ▶ Placing of statutory notices;
- ▶ Informing the beneficiaries of their entitlement under the estate;
- ▶ Preparation of the Oath for Executors (**Oath**);
- ▶ Preparation of the limited inheritance tax account (Form IHT205) on the basis of the information provided to us;
- ▶ Submitting the application to the relevant district probate registry in order to obtain the Grant;
- ▶ Writing to the asset holders and collecting in the assets of the estate;
- ▶ Settling the estate liabilities from the estate funds limited to the funeral account and any associated utility bills, outstanding council tax and/or the deceased's care costs;
- ▶ Distribution and/or transfer of the estate assets to the beneficiaries; and/or
- ▶ Preparation of very simple Estate Accounts.

Disbursements

Disbursements are costs related to your matter that are payable to third parties, such as court fees, and do not make up our Legal Fee. We handle the payment of the disbursements on your behalf to ensure a smoother process, but may require you to put us into funds in order to do so..

Disbursements will vary from matter to matter, but in a typical probate matter we would expect to see some (or all) of the following disbursements.

- ▶ Probate application fee of £155 payable to the relevant district probate registry (please note that this fee would enable the probate registry to issue the original Grant only. Additional court sealed copies of the Grant can be obtained at a cost of 50p per additional court sealed copy required);
- ▶ £5 swearing of the Oath (per executor) and, typically, £2-£5 swearing of supplementary documents i.e. the Will (per executor). Please note that the swearing of the Oath and the Will are payable to a third party independent solicitor (i.e. not a member of Addleshaw Goddard LLP) and so such disbursement prices are dependent upon the fees charged by the particular solicitor instructed in the matter;
- ▶ Bankruptcy-only Land Charges Department searches;
- ▶ Statutory notice fee in the London Gazette – this provides protection to the executors of the deceased's estate against unexpected claims from unknown creditors; and
- ▶ Statutory notice in a Newspaper local to where the deceased lived (price dependent upon locality) – this also provides protection to the executors of the deceased's estate against unexpected claims from unknown creditors.

How long will the matter take?

On average, estates that fall within the criteria set out over are usually dealt with within 6-12 months, however, please note this is not an absolute rule. Typically, obtaining the Grant can take anywhere between 3-6 months. Collecting assets (and settling estate

liabilities) then follows, which can take between a further 2-3 months. Once this has been attended to, we can distribute the estate assets, which can take anywhere between a further 2-3 months.

Stages of the process

The precise stages involved in the collection and distribution of an estate (once the Grant has been obtained) will vary according to the circumstances. We will keep you informed as to the progress of your individual matter, however, below we have suggested some typical key stages of the process:

- ▶ writing to the asset holders enc. certified copies of the Grant asking them to update their records accordingly and provide the associated sale (encashment) and/or transfer forms for completion;
- ▶ writing to the institutions owed money from the deceased's estate to update their records and provide the executors with a final account;
- ▶ completing the associated sale and/or transfer forms on behalf of the executors and arranging for the executors (and beneficiaries, where required) to sign the forms;
- ▶ submitting the completed sale forms to the asset holders;
- ▶ collecting in the cash either into our client account opened on behalf of the estate or the executors own external executors account;
- ▶ arranging settlement of all outstanding estate liabilities and requesting confirmation from each institution that no further payments are required from the estate;
- ▶ submitting the completed transfer forms to the asset holders (if required) and obtaining confirmation that the relevant transfer has taken place;
- ▶ completion of very simple estate accounts showing the position at the deceased's date of death through the estate administration period (including the payment of estate liabilities and, where appropriate, transfers of assets to the beneficiaries) to provide a balancing position as to any balancing payments to be made to the beneficiaries;
- ▶ obtaining approval of the estate accounts from the executors and providing a copy of the estate accounts to the beneficiaries; and
- ▶ arranging the balancing payments (if any) due to the estate beneficiaries.

The Team

Your matter will be handled by the Firm's dedicated probate team. If you instruct us we will provide you with the names of individuals who will be acting on your matter, including the matter responsible for overall supervision. You can find information about the people who work in our [Probate team here](#).

For a more accurate quote or to discuss instructing us please contact Pervinder Kaur, Partner and Head of Private Capital, Addleshaw Goddard LLP on 0113 209 2381 or via email at pervinder.kaur@addleshawgoddard.com or Yorke Eaton, Partner, Addleshaw Goddard LLP on 0113 209 2137 / 0161 934 6709 or via email at yorke.eaton@addleshawgoddard.com.

Aberdeen, Doha, Dubai, Edinburgh, Glasgow, Hong Kong, Leeds, London, Manchester, Muscat, Singapore and Tokyo*

*a formal alliance with Hashidate Law Office

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