

# Probate

## *Pricing and Service Information*



We are required to publish prices for probate work in relation to uncontested cases where all the assets are in the UK. This includes both testate and intestate and taxable and non-taxable estates.

**This refers to uncontested cases with all assets in the UK and covers applying for the grant, collecting and distributing the assets.**

We can help you through the difficult process by obtaining the Grant of Probate on your behalf. We will also undertake the collecting and distributing of assets.

### **Key Stages of the process:**

- Providing you with a dedicated and experienced probate lawyer to work on your matter;
- Identifying the legally appointed executors or administrators, beneficiaries and type of Probate or Administration application you will require;
- Reviewing and advising on the provisions of the Will or, where applicable, the intestacy rules;
- Obtaining the relevant documents required, including writing to asset holders to ascertain the size of the estate and requirements for paying out, and to all creditors to establish amounts of liabilities;
- Establishing the deceased's income tax liability (if any);
- Completing the relevant HMRC forms, including calculating the net and gross estate;
- Establishing Inheritance Tax liability (if any) and making arrangements for the payment of tax;
- Drafting a legal oath for you, arranging for the oath to be sworn and obtaining the grant of Probate or Letters of Administration from the Probate Registry;
- Collecting in assets and pay creditors;
- Paying all legacies and making interim distributions, if appropriate;
- Preparing documents to vest any property which is not to be sold in the names of the beneficiaries and (if appropriate) registering such transaction with the Land Registry;
- Preparing estate accounts and establishing liability for any income tax or capital gains tax arising during the administration period;
- Obtaining inheritance tax discharge, if appropriate;
- Final distribution and accounting to beneficiaries .

### **Fees:**

Each new file has an Administration and Compliance Fee: £50 + VAT @ 20%.

Each new file may require ID checks, these are charged at £25 + VAT @ 20% per person/check.

### **Initial Probate Appointment**

The initial appointment would be charged at the hourly rate of the lawyer conducting the meeting, between £230.00 - £340.00 + VAT per hour (depending on post-qualification experience). The meeting would usually last around one hour but can sometimes be longer depending on the complexity.

### **Obtaining the Grant of Probate, collecting assets, paying outstanding liabilities and distributing the estate**

We charge for the administration of an estate based on either:

### **Hourly Rates**

Our standard method of charging is on an hourly-rate basis. The work will be carried out by the lawyer assisting you, at rates between £230.00 and £340.00 + VAT per hour, depending on their post-qualification experience.

Where appropriate, simpler tasks may be undertaken by junior team members at a lower rate in order to keep costs proportionate.

We anticipate that a typical estate administration will require between 5 and 60 hours, giving an estimated range of £1,100 – £18,300 + VAT, depending on the complexity and circumstances of the estate.

For example:

A simple estate with one beneficiary and no property will fall at the lower end of the range.

An estate with multiple beneficiaries, several investments, property, or tax considerations will fall toward the higher end.

### **Percentage-Based Fees (1% – 5% of the Estate Value)**

In some cases, we may agree to charge a percentage of the gross estate value instead of our hourly rates.

Based on the information available at the outset, and depending on the size and complexity of the estate, we estimate that our total fees (excluding VAT, sundry expenses, and disbursements) may fall between 1% and 5% of the estate's value.

This percentage-based structure is usually discussed during our initial meeting and, where agreed, is clearly set out in your engagement letter before any work begins.

Please note that this estimate does not include any potential litigation-related costs. These will be provided separately if such work becomes necessary.

NB. Any taxes that will be payable will be additional to the hourly rates quoted. A guide to the taxes payable can be found online at <https://www.gov.uk/topic/personal-tax/inheritance-tax>

### **Disbursements (No VAT applicable, except where stated)**

Disbursements are costs related to your matter that are payable to third parties, such as court fees. We handle the payment of the disbursements on your behalf to ensure a smoother process. Likely payments to be made to others in a usual estate administration include:

- Probate Court Fee - £300
- Additional copies of the grant of probate – £1.50 per asset
- Bankruptcy Land Charges Department searches - £6 per UK beneficiary
- Advert in The London Gazette and the Local Newspaper to protect against unexpected claims from unknown creditors – variable, in the region of £400 + VAT.
- Land and share valuation fees – variable (and may be VAT applicable, depending on who is instructed)

### **Potential additional costs**

If there is no Will or the estate consists of any share holdings (stocks and bonds) there are 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.

Dealing with the sale or transfer of any property in the estate is not included but we will be happy to quote you for this separately. Please contact our Client Relations Team on 01603 693510 or email [enquiries@clapham-collinge.co.uk](mailto:enquiries@clapham-collinge.co.uk)

We will handle the whole process for you. As a general guide a simple estate would fall into the categories below:

- There is a valid Will;
- There is no more than one property;
- There are no more than five bank or building society accounts;
- There are no intangible assets, such as goodwill or copyrights;
- There are no more than five beneficiaries;
- There are no disputes between beneficiaries on division of assets. If disputes arise this is likely to lead to an increase in costs;
- There is no inheritance tax payable and the executors do not need to submit a full account to HMRC;

- There are no claims made against the estate.

### **How long will this take?**

On average, estates that fall within the above “simple estate” criteria are dealt with within three to twelve months. Typically, obtaining the grant of probate takes ten to twelve weeks. Collecting assets then follows, which can take around four weeks, or longer if there is a property or shares to be sold. We will sometimes advise executors to not distribute an estate until a period of six months have expired from the date of the grant of probate due to certain statutory claim periods.