



Our philosophy

We believe that it is important that our clients should have the certainty of fixed probate fees where we can reasonably predict what our work will entail.

Our practical experience over the last twenty years has shown that we can reasonably predict what work is involved in the vast majority of probate cases so we will always try to offer a fixed fee in these instances.

In the minority of cases where we cannot predict what work will be involved, we will offer to work on a time spent basis with a bespoke predicted range of likely costs in the unusual circumstances involved. We have found that these minority of cases always arise out of an information deficit such as uncertainty over the identity of the executor or main beneficiaries, the extent and nature of the estate assets and/or liabilities, and the potential solvency of the estate.

All of our fees have VAT applied to them at the rate of 20%.

Our typical fee propositions

Our typical fixed fee proposition

In the usual situation where we work on a fixed fee basis, we will always take the time to work out a fee that takes into account the particular estate circumstances and the work involved so that we charge fairly for the work involved. After all, clients with more routine requirements ought to be charged less than clients with more complex or demanding requirements.

In assessing the fixed fee involved to deal with a probate matter, we will look to take into account such matters as:

- The likely time spent on dealing with the matters involved ;
- The number, type, location and value of the estate assets and liabilities involved ;
- The extent to which there have been lifetime gifts that have a material impact on the resulting inheritance tax position;
- The level of specialist knowledge and additional work required to obtain a tax or other benefit for the estate or its beneficiaries;
- The number of beneficiaries entitled to an estate, the extent to which they are traceable and their required communication levels;
- The need for outside visits to protect estate assets or service client expectations ;
- The need to advise upon and deal with any trust contained within a will ;
- The possible existence of any complex, novel or difficult issue associated with the estate administration;
- The possible existence of any actual or possible dispute between the executors or beneficiaries;

- The need for an expedited service (if relevant) to, amongst other things, facilitate an urgent house sale or access a reduced tax or court fee level before a certain deadline.

In practical terms, we have found that there are common ranges of costs for our typical estate instruction that predominantly ranges in value from £250,000 to £1.5 million. Whilst most clients instruct us to deal with a full estate administration instruction, we do occasionally receive instructions to obtain a Grant of Probate only with straightforward estates from family executors.

In the uncommon instances where we obtain a Grant of Probate only, our minimum fixed fee for this Grant only service is £1500 plus VAT plus a court fee of between £300 and £330. We charge a higher fixed fee where we need to collect the asset valuation information, there is a need for an Inheritance Tax Return and there is inheritance tax payable.

At the more routine and less involved end of our typical full estate administration instruction range, this would commonly translate into a legal fee of somewhere between £3,750 plus VAT (£3,750 plus VAT is our minimum estate administration legal fee) and £7,500 plus VAT. At the more complicated and more involved end of our typical full estate administration instruction range, this would typically translate into a legal fee of somewhere between £15,000 and £20,000 plus VAT. Evidently, we would need to provide you with a more bespoke fixed fee proposition for the minority of estate administration work that falls outside of our typical range of work.

Our typical time spent fee proposition

In the minority of cases where we cannot predict what work will be involved, we offer a time spent charging basis where we provide a bespoke predicted range of likely costs in the unusual circumstances involved.

For a more straightforward estate administration, we are likely to quote in the region of 20 to 30 hours, for a mid-range estate administration we are likely to quote in the region of 30 to 60 hours and for a complex estate administration we are likely to quote in the region of 60 to 100+ hours and in some cases significantly more hours depending on the specific estate administration requirements.

We always try to allocate a suitable fee earner to the estate administration who will carry out the majority of the work. In some cases, fee earners of differing experience will work in the same estate administration. Our fee earners standard hourly rates are:

- £150 plus VAT for a Trainee solicitor or Paralegal
- £200 to £250 plus VAT for a Solicitor
- £300 plus VAT for an Associate
- £350 plus VAT for a Partner

At Partner level we do very occasionally have to charge a higher hourly rate for particularly complex or high value instructions.



Examples of our probate pricing

Simple estate administrations:

- 1 home
- 3 bank accounts
- No liabilities
- 1 pension
- We are not the executors
- 2 beneficiaries
- Total estate value of £300,000

Our minimum legal fee of £3,750 plus VAT and disbursements

Mid-range estate administrations:

- 1 home
- 10 financial assets, including bank accounts, unit trusts, investment bonds and share portfolios
- No liabilities
- 3 pensions
- No will – died intestate
- 5 beneficiaries of differing ages receiving differing proportions
- IHT not payable
- Total estate value of £700,000

Our fixed legal fee would be in the region of £10,000 to £13,000 plus VAT and disbursements

Complex estate administrations:

- 2 properties
- 15 different financial assets
- No liabilities
- 5 pensions
- 12 beneficiaries of differing ages receiving differing proportions
- Failed lifetime gifts
- Will trust
- Total estate value of £1,500,000

Our fixed legal fee would be in the region of £17,000 to £25,000 plus VAT and disbursements

The above examples are typical of the estate administration instructions we receive, but we also act in much higher value and more complicated estate administrations for which our typical fixed legal fee would be much higher.

You have the peace of mind that our fixed legal fee for the estate administration will not change unless the information on which we provided the fixed legal fee quote was incorrect or there are significant changes in the estate administration requirements such as the discovery of more assets, or the overall estate value being significantly different to the value we were initially told.



Payments to third parties

In addition to our legal fee, there will be payments that need to be made to third parties to deal with an estate administration. They will normally include the following additional fees:

<u>Fee description</u>	<u>Amount</u>	<u>Required</u>
Probate court fee	£300 to £330	Yes
Bankruptcy search fee	£2 per beneficiary	Not always
Creditor advert fee	£200 (Approximately)	Not always
Conveyancing fees	Quote obtained upfront	Not always

Where VAT is applicable to payments that need to be made to third parties, the above figures are inclusive of VAT.

What is included in our fixed fee proposition?

At the outset of your instructions, we will provide you with a client care letter that clearly sets out what work falls within the scope of your instructions.

As we appreciate that you are not estate administration specialists, we prefer to give you the peace of mind that we will deal with everything in a full estate administration instruction unless we say that it is excluded from the scope of our work or you would like to deal with any element on your own.

The aspects that are commonly excluded from our estate administration fee include :

- Organising the funeral (unless we are appointed as professional executors) ;
- Disposing of the house contents or dealing with any car related issues (unless we are appointed as professional executors) ;
- Dealing with the deceased person's pre-death income tax – although we would be happy to liaise with your Accountant about this matter ;
- Administering any assets located outside of the English and Welsh legal jurisdiction ;
- Selling any inherited realty – although we would be pleased to provide you with a conveyancing sale fixed fee proposition ;
- Helping the beneficiaries with tax planning advice consequential to their inheritance – although we would be pleased to provide you with this service and price proposition upon request ;
- Dealing with any contentious work arising out of the estate administration – although our Dispute Resolution Department would be pleased to assist you in this regard at an additional cost.



Typical timeframes

Every estate administration differs in how long it takes to deal with.

At the more routine non-taxable end, we would typically expect an estate administration to take around 6 to 9 months. At the more complex end, we would commonly expect an estate administration to take around 10 to 18 months.

There can though be circumstances where estates take longer to complete than they should for reasons outside of our control. Our experience has shown that these reasons include: an estate house taking a long time to attract a successful buyer, HM Revenue & Customs being slow in granting tax clearance, a family dispute or a wholly inefficient third party who is linked to the estate.