

Our fees

Our fees for acting on obtaining a grant of probate and the administering of a straightforward (uncontested) estate based wholly in the UK, vary.

We state the fee ranges below (excluding VAT) likely to be charged and some of the factors that may result in a fee at the higher or lower end of the range or in the stated range not being applicable, which would be the case if the estate comprises any non-UK assets or where its administration is contested.

Stage 1: Applying for the grant of representation

£20,000 to £70,000

Stage 2: Administering the estate

£10,000 to £100,000

Notes on fees

These fees cover the UK probate processes with which we are commonly asked to assist. We will where we can provide an estimate of costs up to and including obtaining the grant of representation in the first instance. Once the application for the grant of representation has been made, we will where we can, then provide a further estimate of costs for assisting with the administration of the estate based on the level of our involvement and the nature of the assets.

Our policy is to charge on a time-spent basis, subject to prior estimate. The majority of the work will be undertaken by Elizabeth Sherborne whose hourly rate is £255 per hour. Where partner involvement is required then a partner rate of £595 will be applied.

When deciding on an appropriate fee estimate we take into account a range of factors, including:

the time taken to assist with the matter including if there is urgency involved;

the number of executors and their locations;

the number of beneficiaries and their locations

the level of correspondence likely to be involved;

the complexity and number of assets and liabilities in the estate;

the amount and quality of the information provided by the personal representatives;

the likely level of engagement with the Probate Registry and HMRC; and

the need to engage and liaise with third parties.

We do not charge a percentage of the assets in the estate.

Disbursements

Disbursements are costs related to your matter that are payable to third parties, such as probate application fees. We will handle payment of the disbursements on your behalf and so these will appear on our invoice to you.

All fees are quoted exclusive of VAT and disbursements, which may include for example:

probate application fees (currently £155); valuation fees; costs of advertising for creditors; and third party fees, such as translation costs and overseas lawyers' fees.

Scope

We will provide a scope of work tailored to your particular circumstances once we have been provided with a completed probate questionnaire and full details of your circumstances. Set out below is our typical scope of work for assisting with a UK probate application.

Stage 1: Applying for the grant of representation

locating and reviewing any will(s) and codicils and checking scope and validity of the same;

notifying insurers of the death, checking adequacy of insurance cover and ensuring the personal representatives are noted on all the deceased's insurance policies;

ascertaining the domicile position of the deceased;

gathering information on the assets and liabilities of the deceased at the date of death including corresponding with asset holders and creditors and obtaining valuations where necessary;

establishing whether the deceased made any lifetime gifts that are relevant for Inheritance Tax purposes;

considering the deceased's lifetime income tax position (including liaising with the deceased's accountant to ensure that a tax return is prepared to the date of death);

preparing the Inheritance Tax account, submitting this to HMRC and arranging for the Inheritance Tax to be paid; and

drafting the documentation to apply for the grant of representation and submitting this to the Probate Registry.

Stage 2: Administering the estate

collecting assets (including arranging for assets to be sold or appropriated to beneficiaries) and settling liabilities;

paying legacies;

arranging for adverts for creditors to be placed;

compiling estate accounts :

responding to any queries raised by HMRC in relation to the Inheritance Tax account and obtaining Inheritance Tax clearance;

preparing tax returns to the date of death and for the administration period; and

distributing the residuary estate.

The above scope and specified fee ranges do not apply to:

assisting with the administration of assets situated outside England and Wales;

administering any ongoing trusts created by the deceased's will or intestacy; or

advising on potential claims against the estate or

estates where inaccurate information has been provided

A separate fee quote will be provided for this work if required.

Time scales

Experience suggests that, on average, applications for grants of representation take approximately 4 to 12 months to prepare.

Typical processing times from the date of submission of the relevant documents are as follows:

HMRC

Between 4 to 8 weeks to issue form IHT421 confirming receipt of the Inheritance Tax account and any Inheritance Tax due.

The Probate Registry

Between 4 to 8 weeks to issue the grant of representation.

Complex applications

Please note that probate applications which involve complex issues, such as where the deceased was not domiciled in England and Wales or where a caveat has been entered at the Probate Registry will take longer to be prepared and processed.