



Probate and estate administration

Price and service information

Introduction to the team

Our probate and estate administration team is led by [Matthew Yates](#), head of the firm's Private Client department, with over 25 years of experience in this field.

We pride ourselves on offering a high quality, efficient and personal service, covering every degree of complexity of work. As such, we can provide Personal Representatives with peace of mind that every aspect will be handled by appropriately trained and experienced professionals in a friendly and sympathetic manner, and that the many and sometimes onerous obligations of Personal Representatives will be properly discharged.

We have significant experience in all areas of private client work, including tax and estate planning, as well as specialist areas such as business property, landed estates and heritage assets, enabling us to add further value to the service we can provide.

The team comprises individuals representing the full range of professional qualifications and experience, including Partners, Senior Associates, Associates, Trust and Tax/Probate Managers, Paralegals and Trainee Solicitors. This enables us to ensure that work is carried out at the appropriate level, depending on the circumstances of the case. Matters are always Partner-supervised, providing our clients with additional reassurance and the benefit of a senior point of contact throughout.

Further information about the team, including biographies, can be viewed [here](#).

Basis of charging in probate and estate administration matters

We offer a charging structure which is competitive for the quality and range of our services.

In dealing with probate and estate administration matters, we will charge what is fair and reasonable in all the circumstances, taking into account various factors, but principally the time spent on the matter.

These charges will be subject to VAT. Any disbursements relating to the work will also be payable. Disbursements are costs related to the matter which we pay on behalf of our clients.

Our charges for probate and estate administration will be payable from the deceased's estate.

Our current standard hourly rates for probate and estate administration work are as follows (exclusive of VAT):

- ◆ Partners: £450 - £580
- ◆ Senior Associates: £400 - £440
- ◆ Associates: £340 - £360
- ◆ Trust & Tax Managers*: £330 - £350
- ◆ Trainee Solicitors/Paralegals**: £210

* Not qualified solicitors unless specified.

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Main elements of the work in probate and estate administration matters

When handling probate and estate administration work, our clients will be the deceased's Personal Representatives (referred to as 'Executors' where the deceased left a valid Will, or otherwise as 'Administrators'). If the deceased left no Will, they are described as having died 'intestate', and their estate will pass according to a statutory formula known as the intestacy rules.

Typically, the main elements of the work we carry out on behalf of the deceased's Personal Representatives include the following key elements:


- ◆ Obtaining the Grant of Representation:
 - ◇ Ascertaining the assets and liabilities of the deceased's estate and any other relevant information.
 - ◇ Advising as to the intestacy rules, if applicable.
 - ◇ Preparing the papers leading to the issue of the Grant of Representation (referred to as the 'Grant of Probate' where the deceased left a valid Will, and otherwise as 'Letters of Administration'), to include completing the HM Revenue & Customs (HMRC) Inheritance Tax Account (unless the estate is excepted from the need to deliver one, see below) and completing the requisite probate application (whether online or on paper) for the Personal Representatives.
 - ◇ Applying for and obtaining the Grant of Representation.
- ◆ Dealing with the administration of the estate:
 - ◇ Arranging for the liabilities of the estate to be discharged, including all relevant taxation and our costs for dealing with the estate.
 - ◇ Advising and maintaining correspondence with the Personal Representatives throughout, and other parties (such as asset holders, stockbrokers, accountants, and beneficiaries) as appropriate.
 - ◇ Dealing with HMRC reporting obligations and other compliance requirements as appropriate and responding to any HMRC enquiries.
 - ◇ Preparing Estate Accounts and having them approved by the Personal Representatives.
 - ◇ Distributing the estate in accordance with the terms of the Will or the laws of intestacy.

Range of costs for a standard, straightforward UK estate

The total cost of carrying out probate and estate administration work will depend on the individual circumstances of the matter, as no two estates are exactly the same. For example, the cost may be affected by the complexity, number and type of assets and liabilities in the estate, the tax position, the number and age of the beneficiaries, and the overall amount of assistance that the Personal Representatives and/or beneficiaries request of us. Therefore, we will always provide an individual cost estimate at the outset which takes into account the particular features of the estate in question.

As a general guide, we have found in practice that the amount of time required to be spent by us in dealing with a standard, straightforward UK estate typically leads to an overall charge falling within the range of £16,000 - £35,000 plus VAT (£19,200 - £42,000 inclusive of VAT). Any disbursements would be payable in addition. Accordingly, this range reflects our initial estimate of costs for handling a standard, straightforward estate, based on our firm handling the full process.

It may be necessary to revise the initial estimate as matters develop, in which case we will inform our clients.



For these purposes, a standard, straightforward estate is one where:

- ◆ The deceased was domiciled in the UK.
- ◆ All the deceased's assets were in the UK.
- ◆ The deceased left a valid Will, which included up to three money legacies (all gifted outright to individuals and/or charities) and gifted the balance (the 'residue') to up to three beneficiaries all of whom inherit outright.
- ◆ The deceased made no lifetime gifts which are reportable to HMRC or any reporting requirements in this regard are straightforward
- ◆ The estate comprises a single residence (or a half share in a single residence) with registered title, up to five bank/building society accounts and a portfolio of uncertificated shares which is managed by a stockbroker/investment manager.
- ◆ Valuation of the assets and liabilities of the estate is straightforward.
- ◆ The estate either qualifies as an 'excepted' estate (for which no Inheritance Tax is payable and no Inheritance Tax Account is required) or an Inheritance Tax Account on Form IHT400 is required but can be completed on a reduced basis (because most or all of the estate is exempt from Inheritance Tax) or is otherwise straightforward.
- ◆ Any Inheritance Tax liability is not payable by instalments and is agreed with HMRC without queries being raised and/or without undue difficulty.
- ◆ The probate application does not involve any complications and can be made online, rather than a paper application being required.
- ◆ Finalisation of the pre-death tax position is handled by the deceased's accountants.
- ◆ The beneficiaries have all been identified and traced.
- ◆ There are no disputes (for example between beneficiaries, or between the Personal Representatives and beneficiaries).
- ◆ No claims are made in respect of the estate.


Our costs would be likely to be at the lower end of this range where the circumstances of the case mean that less time is required to be spent (for example, if there is only one beneficiary of the Will, no Inheritance Tax Account is required and the deceased made no lifetime gifts).

Correspondingly, our costs would be likely to be at the higher end of this range where more time has to be spent (for example, if Form IHT400 is applicable on the reduced basis, or the deceased made lifetime gifts but suitable evidence is provided to us from which it is clear that they were outright gifts made within seven years of death and amounting to less than £3,000 per year).

On average, estates that fall within the above range are dealt with within nine to 12 months. Typically, it takes four to five months to obtain the Grant of Representation. Collecting in the assets then follows, further to which any legacies can be dealt with and the liabilities of the estate discharged, which may involve selling or transferring assets such as shares; this may take between two and four months. Following this, the appropriate tax clearances need to be obtained and estate accounts prepared and approved before the balance of the estate can be distributed to the residuary beneficiaries.

If the total time required to be spent turns out to fall below this range, we will, of course, charge that lower figure.

Alternatively, if the matter proves to be substantially more complicated and time-consuming than envisaged at the outset (for example if there are multiple and/or complex assets, shareholdings in paper certificated



form, or if more complex tax reliefs, such as Business Property Relief or Agricultural Property Relief, may be applicable), the charges may exceed the range and the timescale may be longer, in which case we will let you know as soon as possible (certainly before our charges exceed this range). Certain types of complication are more likely to cause the range to be exceeded, in particular, if material disagreements or disputes arise in relation to the estate.

VAT

As noted above, VAT is payable where appropriate in addition to our charges. The current rate of VAT is 20%.

Disbursements

As also noted above, any disbursements would be payable in addition. In probate and estate administration work these typically include the following (none of which are subject to VAT):

- ◆ Probate court fees (currently £300).
- ◆ Copies of the Grant (£16 per sealed copy).
- ◆ Fees for the publication of statutory notices in the London Gazette and a local newspaper (typically in the region of £250 – these protect against unexpected claims from unknown creditors).
- ◆ Bankruptcy-only Land Charges Department searches (£2 per beneficiary).

It is unlikely that the advice of a barrister (Counsel) would be required. If it is necessary to instruct Counsel, this would be a disbursement and an estimate of their fees would be obtained. Counsel's fees are subject to VAT.

Potential additional costs

- ◆ Our costs for dealing with the sale or transfer of any property (land) in the estate are not included in the above range of charges. A separate costs estimate will be provided for such work if applicable.
- ◆ Any taxation liabilities will be payable in addition.
- ◆ Any other professional costs (such as valuation fees or accountancy fees) will be payable in addition.
- ◆ Sometimes assets need to be dealt with which are not part of the deceased's estate. For example, there may be assets which were held in trust (such as a life/pension policy, or death in service benefits, under which money is payable on the death of the deceased) or assets which were jointly owned by the deceased and other person(s) as 'beneficial joint tenants'. If it is ascertained that there are such assets, we will explain the position and, if appropriate, provide a separate cost estimate for dealing with them.

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