

Probate - Process and Fees

Key Stages

- Identify the legally appointed executors or administrators and beneficiaries
- Accurately identify the type of Probate application you will require
- Obtain the relevant documents required to make the application
- Complete the Probate Application and the relevant HMRC forms
- Draft a legal oath for you to swear
- Make the application to the Probate Court on your behalf
- Obtain the Probate
- Prepare estate accounts
- Settle liabilities
- Collect and distribute all assets in the estate

Fees

Our fees involve applying for the grant, collecting and distributing the assets. Please see the Wills, Probate and Court of Protection section of our website to see who will likely be handling your matter.

Fees are based on time spent by the solicitor and other staff dealing with your matter. They also contain an element based on the value of the estate. This is because the value is a reflection of the importance of the matter and consequently the responsibility that is placed on the firm.

We charge on the basis of the time spent with an hourly rate of £235.00 for a Consultant, £220.00 for an Associate and £185.00 for a Solicitor. The firm's charges will usually amount to between 1.5% and 2% of the gross value of the estate. VAT at the current rate of 20% will also be chargeable.

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

The firm's charges will be closer to 1.5% of the gross estate where the estate is more straightforward, for example where:-

- There is a valid will
- There is no more than one property
- There are no more than 3 bank or building society accounts
- There are no other intangible assets
- There are multiple 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

In the event the estate doesn't fall in line with the above guidance i.e. there are multiple properties, shareholdings and possible IHT liability then the firm's charge will realistically be closer to 2% of the gross value of the estate but we will agree costs with you at the outset before commencing any work on your behalf. We would also be happy to discuss fixed fees for Grant only applications.

Disbursements

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.

- Probate application fee – approximately £170.00 (to include oath fees, probate court fees and copies of the Grant)
- Bankruptcy-only Land Charges Department searches - £2.00 each

- £150.00 – £200.00 Adverts in The London Gazette – Protects against unexpected claims from unknown creditors.
- £150.00 - £200.00 Adverts in a Local Newspaper – This also helps to protect against unexpected claims.
- Assets Search – comprehensive search for unknown assets - £135.00 plus VAT

Potential additional costs

- If there is no will or the estate consists of any share holdings (stocks and bonds) there is 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.
- If any additional copies of the grant are required, they will cost £0.50 each.
- Dealing with the sale or transfer of any property in the estate is not included. Please see our conveyancing fees for further information.

How long will my matter take

For a simple probate matter, estates are usually dealt with within 3-6 months. Typically, obtaining the grant of probates takes 4-8 weeks. Collecting assets then follows, which can take between 2-6 weeks. Once this has been done, we can prepare estate accounts and distribute the assets, which normally takes 2-4 weeks. More complex probates can take considerably longer as there are potentially tax issues which arise and delays often result when dealing with HMRC.