



Probate and Estates- some information on prices

We can act for you in some of or in the whole of the process of the administration of an estate of a deceased person. The process includes the following:-

- Establishing whether the deceased left a valid Will
- If the deceased person did not leave a valid Will advising on the Rules of Intestacy
- Preserving and establishing the nature of the estate
- Collecting information required to complete the Return of Estate Information for HMRC for Inheritance Tax and make application for the Grant of Representation
- Completing the Return of Estate Information for IHT for HMRC
- Making the application for the Grant of Representation
- Receiving the Grant of Representation
- Collecting in or arranging the transfer of estate assets
- Settling all liabilities of the estate
- Ensuring protection for the personal representatives inclusive of placing of Trustee Act 1925 Section 27 Notices and observing time limits under the Inheritance (Provision for Family and Dependents) Act 1975

- Completion of all matters with HMRC in respect of Inheritance Tax
- Completion of all matters with HMRC for the deceased's taxation up to the date of death
- Completion of all matters with HMRC in respect of taxation for the administration period
- Preparing interim and final estate accounts
- Taking instructions on payment of legacies, interim and final distributions in accordance with the terms of the Will or the Rules of Intestacy

No administration of an estate is exactly the same, and as such our fees will reflect the individual nature of each estate. For example, dealing with an estate comprised of a wide variety of assets and liabilities will be more complex and time consuming than dealing with an estate with a small number of assets and liabilities. Likewise, dealing with an estate with several beneficiaries will be more complex than dealing with an estate with only one beneficiary. As a result we cannot give you a reliable estimate of the cost entailed in acting in the administration of an estate until we have full details of the deceased's estate. It may take some time to establish the extent and nature of the estate.

In addition, the circumstances existing at the date of the person's death will impact on the costs of dealing with the estate. For example, if a person dies leaving a valid Will and there is no doubt that it is the last Will and testament of the deceased then less enquiries will have to be made than if it is not known whether the deceased left a valid Will and searches have to be made as to whether there is a valid Will. If there is no valid Will then enquiries would need to be made as to beneficiaries under the intestacy and to identify the proper persons entitled to administer the estate.

However, we can advise that our prices range from £3,000 to £30,000 in respect of the administration of an estate depending on the nature of the estate and its complexities.

Our charges will be calculated mainly on the basis of time spent dealing with the matter. Time spent will include meeting with the personal representatives and perhaps others; time spent travelling e.g to register the death or visit the deceased's property; considering preparing and working on papers; correspondence and making and receiving telephone calls. A list of this firm's

categories of staff and their charge rates and their rates for routine letters emails and telephone calls are set out below. These do not include VAT which will be added to the bill.

Our charges will 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 of this firm. Therefore in cases where we are acting for personal representatives we will also charge 1% of the gross value of the estate (excluding any residence in which the deceased resided where the rate will be 0.5%). If the Partners in this firm are appointed as executors we will charge 1.5% of the gross value of the estate (excluding any residence in which the deceased resided where the rate will be 0.75%).

Until such time as we have full details of the estate it is difficult to estimate how many hours of work will be necessary to complete the matter. However, we will do our best to provide you with an estimate of the time likely to be spent and, during the course of the administration, will advise you of the costs incurred together with providing interim bills of costs.

There will also be certain additional expenses (these are known as disbursements) such as Court fees and charges for the official copies of the Grant of Representation documents which we shall be obtaining for you from the Court. At present the Court fee for an application for a Grant of Representation by a solicitor is £155.00 and the cost of an office copy of the Grant is 50p. Examples of other disbursements are fees paid to an outside agency to obtain valuations for example Chartered Surveyors fee for valuing a house or flat owned by the deceased; fee paid to a Valuer for valuing the personal effects and contents of the deceased; a share valuation fee; an administration fee payable to Registrars of companies. This list is not exhaustive but you will be advised of disbursements as the matter progresses.

Charging Rates

- (a) For meetings, discussions and other work progressing the administration of an estate the hourly charging rates (excluding VAT) of our solicitors and legal staff are:

Partners £250.00 per hour

Assistant Solicitors £180.00 per hour

Trainees £130.00 per hour

VAT will be added at the current rate. If less than an hour is involved we can calculate the time spent in units of 6 minutes (1 unit = 10% of the hourly rate).

- (b) Telephone calls, letters and emails are treated differently. Telephone calls (made and received by us) are recorded in units of 6 minutes. Short and routine letters and emails (written and received) are recorded at 6 minutes each.

Longer letters and emails and telephone calls are charged on the basis of time spent.

We can help you through this difficult process. We are unable to provide you with a time estimate for the administration of the estate until such time as we receive full details of the estate. However we can advise you that the average administration of an estate will take between six months to two years or even longer in certain circumstances.

Lawyers in the team

Dympna Ewings - Partner

Dympna Ewings is a Partner and the Head of the Probate Team and has over 30 years' experience in Private Client work specialising in Wills and Probate, Lasting Powers of Attorney and Court of Protection and Elderly Client matters. She has worked in this area of work since qualifying as a solicitor and has helped thousands of families and individuals. Dympna Ewings graduated with a History Degree from Queens University Belfast. She initially worked as a Social Worker with the NSPCC before completing the Common Professional exam and Solicitors Final exam obtaining First Class Honours and qualifying as a solicitor in 1988. She continues to undertake professional development by attending courses and

training sessions on an annual basis. She is a member of the Court of Protection's professional Deputies. She is a Member of Solicitors for the Elderly.

Jonathan Duff – Assistant Solicitor

Jonathan Duff attended Anglia University graduating with a Law Degree. He initially worked in marketing before completing the Legal Professional exams and qualifying as a solicitor in 2008. He undertook his training contract at Mark & Co Solicitors before joining our team in 2009. He specialises in Probate and Court of Protection and Elderly Client work. He acts in the management of deputy cases on behalf of incapacitated persons and has a special interest in all areas of caring for persons who have lost the capacity to manage their own property and affairs. Jonathan is a Member of Solicitors for the Elderly. He too has helped many families and individuals.

Raphael Taylor - Trainee Solicitor

Raphael Taylor is a Trainee Solicitor. He has an MA in Philosophy from Leeds University and has completed the Graduate Diploma in Law and Legal Practice Course at City University.

