

SRA Transparency Rules Cost & Service

Probate: Range of costs (with fixed fee for additional work) and fixed fee

Our Wills and Probate department team is headed up by Susan Fletcher (<https://www.dodds-solicitors.co.uk/about-us/meet-the-team/>), who has a vast amount of experience when it comes to will writing tailored to a client's individual needs as well as inheritance and tax planning and probate issues ranging from the straight forward to those more complex estates involving trusts.

Applying for the Grant, collecting and distributing the assets

Our costs are based on the hourly rate of the fee earner dealing with the matter and VAT is charged at the rate of 20%.

Average fees for dealing with the full administration of an estate are generally in the region of between 1 ½ % and 3 ½ % of the gross estate value (ex VAT and disbursements).

Fee estimates are available

The fee includes:-

- An initial interview to obtain your instructions
- Advice about the terms of the Will or rules of Intestacy
- Advice about your obligations as Personal Representative
- Arranging valuations of any assets held at the date of death
- Obtaining details of any liabilities of the deceased
- Completing the online probate application to produce the Legal Statement
- Completing the necessary IHT forms for submission to HMRC (if applicable)
- An appointment to see you to go through the documents and to arrange for them to be signed and sworn
- Submitting the IHT forms to HMRC (if applicable)
- Dealing with any Income tax issues
- Once the necessary form is received back from HMRC submitting the application to the Probate Registry for the Grant
- Realising the estate assets including a sale or transfer of the deceased's property
- Deal and advise in connection with the estate liabilities
- Prepare a Statement of Estate and Cash Account and advise on distribution
- Contact all beneficiaries about their inheritance and obtain all necessary identification
- Carry out bankruptcy searches against all beneficiaries
- Finalise the administration of the estate

What is not included:

- Dealing with any queries or challenges raised by HMRC
- Any challenges to the estate
- Any disputes between beneficiaries
- The costs associated with the sale of any property
- Dealing with any property held outside of the England and Wales
- Locating missing beneficiaries
- Tracing unknown assets
- Dealing with any trusts in which the deceased was involved

- DWP enquiries

Disbursements

- Probate Registry fee £155 + £1.50 per additional copy of the Grant required if the estate is over £5,000.
- There is no fee if the estate is £5,000 or less
- You may be able to get help to pay the probate fee if you have a low income or are on certain benefits.

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.

Time scales

The time it takes to administer an estate can vary dramatically. This is all dependent on the number of assets in an estate, the debts, the number of beneficiaries, whether there are any challenges to an estate, whether there is property to sell etc.

An average estate would usually be completed within around 6 months. However, when our staff meet with you and know the details of the estate they will be able to give you a clearer indication of the likely timescale involved in your case.

Calculation of charges

Our total charges for dealing with the administration of an estate are based on the time spent in dealing with your matter.

This will include attendances upon you and perhaps others, time spent travelling and waiting, considering, preparing and working on papers and correspondence and making and receiving telephone calls. This will apply until or unless an alternative fee arrangement has been agreed and confirmed in writing by us.

The current hourly rate of charge (exclusive of VAT) within our Probate and Trusts Department is £225.

Letters of a routine nature and telephone calls of a routine nature, made and received, will be charged as units of one tenth of an hour. Other letters and calls will be charged on a time basis.

Fixed fee Probate – Obtaining the Grant only

Probate

We can help you through this difficult process by obtaining the Grant of Probate or Letters of Administration (if there isn't a Will) on your behalf. We will ask you to complete a simple questionnaire so that we have the necessary information to complete the IHT 205 on your behalf.

How much does this service cost?

TOTAL: fixed fee of £840 (incl. VAT).

This includes: completing the IHT 205, preparing the Legal Statement for the Personal Representatives to sign, submitting the online application and obtaining the grant.

Breakdown of costs:

Legal fees £700 + VAT £140 Total £840

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As part of our fixed fee we will:

- Provide you with a dedicated and experienced probate solicitor or chartered fellow of the institute of legal executives to work on your matter
- Identify the legally appointed executors or administrators
- Accurately identify the type of Probate application you will require
- 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 and send sealed copies to you

Typically, obtaining the grant of probate takes 8-12 weeks although it could take slightly longer during the current pandemic.

If Form IHT400 is required then we will provide you with an estimate of our costs based on the anticipated time that will be spent on the matter.