Legal Costs for Obtaining a Grant of Probate and Estate Administration

Legal costs

There are two main elements to the legal costs of Administering an Estate:

- our charges;
- expenses we must pay out on your behalf

Our charges

Our hourly rates for Probate & Estate Administration services are

Senior Solicitors qualified 8 years +	£288.00
Solicitors qualified from 4 to 8 years	£247.00
Newly Qualified Solicitors and Legal Executives	£200.00

Although every Estate is different, on simpler estates this type of work can take anything from 10 to 30 working hours to complete. This means that our charges could be between £2880 - £8640 for a senior solicitor, £2470 - £7410 for a solicitor with 4 to 8 years' experience, and £2000 - £6000 for a more junior fee earner. For more complex estates, our fees could be two or three times greater.

The exact number of hours it will take depends on the circumstances of your case, such as:

- Whether or not there is a valid will;
- The number of shareholdings, bonds or other investments in the estate;
- Whether or not there is inheritance tax to pay;
- Whether or not the estate is disputed in any way.

If there is a valid will, no dispute regarding the estate or the validity of the Will, no inheritance tax to pay and the estate does not include any shareholdings, our charges are likely to be at the lower end of this range.

We reserve the right to increase the hourly rates if the work done is particularly complex or urgent, or the nature of your instructions requires us to work outside normal office hours. If this happens, we will notify you in advance and agree an appropriate rate.

We will review our hourly rates on a periodic basis. This is usually done each January. We will give you advance notice of any change to our hourly rates.

Our hourly charges do not include VAT, which we will add to your bill at the prevailing rate (currently 20%). In addition to our hourly charges, we also charge a value element of 1% on the gross value of the estate (excluding the value of any land, buildings, houses etc. owned): and 0.5% on the value of any land, buildings, houses etc.

Expenses

We would usually expect to incur certain expenses your behalf which we will also add to your bill. The amount of expenses can vary and the following is an estimate only:

Expense	**Estimated amount**	**VAT chargeable**
Probate Registry Fee	£300.00	No
Bankruptcy Search against the deceased	£6.00	Yes
Bankruptcy only Land Charges Search against the beneficiary (per beneficiary)	£6.00	Yes
Swear Fee (per Executor)	£7.00	No
London Gazette Advert – to notify any potentially unknown creditors and protect against a financial claim against the Estate	£75.90	Yes
Local Press Advert - to notify any potentially unknown creditors and protect against a financial claim against the Estate	£250.00	Yes

Please note that the above list only demonstrates typical examples of the expenses that may be incurred, and we simply pass on the cost of arranging these for you. Not all of the above expenses may be required. We recommend that you speak to us to enable us to provide a more detailed estimate which deals with the specifics of your case.

Estimated total legal costs

We estimate that the total cost of Obtaining the Grant of Probate and Administering the Estate could be in the range of £2644.90 to £9284.90, including our charges and the expenses we expect to pay on your behalf, **but not including VAT or any value element** (as the value element depends on the overall value of the estate).

This estimate includes:

- Applying for a grant of probate;
- Gathering together all financial information regarding the estate;
- Finalising all accounts in the name of the deceased;
- Organising any property valuations that may be necessary;
- Drafting estate accounts;
- Distributing the assets.

Additional costs

The 'Estimated total legal costs' shown above assumes here is a valid will, no inheritance tax to pay and distribution of the estate is not contested. Additional amounts may be payable for our charges and/or expenses if there is no will, the assets or tax situation are complex or distribution of the estate is contested.

The 'Estimated total legal costs' specifically does not include:

- the sale or transfer of any property forming part of the estate;
- providing tax advice or dealing with HMRC about inheritance tax;

Likely timescale

Probate and Estate Administration matters usually take approximately 12 months from receiving your instructions to the estate having been finalised and distributed. Once again, this is on the basis that there is a valid will, there is no inheritance tax to pay and the estate does not include any shareholdings. If any complications of this or any other nature arise the matter will take longer. We will advise you if and when this occurs.

Our expertise

Our team has over 60 years of collective experience in delivering high-quality work in all matters relating to probate and estate administration. The team has particular expertise in advising on tax matters arising from the administration of the estate, and in advising on Trusts.

For details of the members of the team who may work on your matter, please see: https://www.brockbanks.co.uk/private-client/dealing-someones-affairs-after-their-death/. Regardless of who works on your matter, they will be supervised by Josephine Walker, who is a Solicitor and a Trusts and Estate Practitioner and who heads up our Private Client Department.

Complaints

We want to give you the best possible service. However, if at any point you become unhappy or concerned about the service we have provided, please inform us immediately so that we can do our best to resolve the problem.

In the first instance it may be helpful to contact the person who is working on your case to discuss your concerns and we will do our best to resolve any issues at this stage. If you would like to make a formal complaint, then you can read our full complaints procedure here. Making a complaint will not affect how we handle your case.

We will always attempt to resolve any complaints, but where this is not possible, complaints and redress mechanisms are provided through the Solicitors Regulation Authority and the Legal Ombudsman.

Solicitors Regulation Authority (SRA)

The SRA can help you if you are concerned about our behaviour. This could be for things like dishonesty, taking or losing your money or treating you unfairly because of your age, a disability or other characteristic.

You can raise your concerns with the Solicitors Regulation Authority.

Legal Ombudsman

The Legal Ombudsman can help if we are unable to resolve your complaint ourselves. The Legal Ombudsman will look at your complaint independently and it will not affect how we handle your case.

Before accepting a complaint for investigation, the Legal Ombudsman will check that you have tried to resolve your complaint with us first. If you have, then you must take your complaint to the Legal Ombudsman:

- within six months of receiving our final response to your complaint; an
- no more than:
  - one year from the date of act/omission; or
  - one year from when you should reasonably have known there was cause for complaint.

If you would like more information about the Legal Ombudsman, please use the contact details below:

Visit: www.legalombudsman.org.uk

Call: 0300 555 0333 between 10am to 4pm.

Email: enquiries@legalombudsman.org.uk

Legal Ombudsman, PO Box 6167, Slough SL1 0EH

The Legal Ombudsman deals with complaints by consumers and very small businesses. This means some clients may not have the right to complain to the Legal Ombudsman, eg charities or clubs with an annual income of more than £1m, trustees of trusts with asset value of more than £1m and most businesses (unless they are defined as micro-enterprises). This does not prevent you from making a complaint directly to us.

Complaints and redress via ODR platform

If we are unable to resolve your complaint, and it relates to a contract entered into online or by other electronic means, you may also be able to submit your complaint to a certified alternative dispute resolution (ADR) provider in the UK via the EU ODR platform.

The ODR platform is an interactive website offering a single point of entry for disputes between consumers and traders relating to online contracts. The ODR platform is available to consumer clients only, ie where you have instructed us for purposes outside your trade, business, craft or profession.

The website address for the ODR platform is: http://ec.europa.eu/odr.

Regulatory information

Brockbank Curwen Cain & Hall Ltd is authorised and regulated by the Solicitors Regulation Authority (SRA). Our SRA registration number is 00384225.