

# Probate Price Transparency

The logo for Scott Bailey LLP, featuring the name "scott bailey" in white lowercase letters on a dark blue square background, with "LLP" in smaller white letters below "bailey".

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**Managing someone's estate after they have died can be a stressful and complex process particularly if you are dealing with grief. We do not believe that the legal costs of a probate solicitor should be a source of uncertainty.**

Each estate to be administered is unique. The amount of work depends on various factors such as whether or not there is a Will and the number, nature and location of assets and liabilities. This is why we encourage you to contact us so that we can provide you with an estimate outlining a range of potential fees to make sure you get the right amount of support to meet your individual circumstances. We will update you regularly on your costs throughout the matter so that you can stay in control.

We can offer a full administration service or provide as much or as little help as you need. For example you may be happy to collate the valuations of the estate and obtain details of the liabilities yourself and just ask us to help with the Inheritance Tax forms and application for the Grant.

While we try to provide an accurate estimate at the outset it is not always possible to foresee every eventuality. For example there may be missing documentation, family disputes arising during the administration period, a claim against the estate or other issues that the family are unaware of such as debts or gifts. In those circumstances our estimate may need to be revised as the matter progresses.

There can be problems with the Will such as questions about the capacity of the person who made it or indeed if people have been left out that might have been expected to be mentioned. Those elements can significantly increase the amount of work that is needed. Similarly, if there is no Will and enquiries have to be made about who the rightful beneficiaries would be under the rules of intestacy then that too can make it difficult to estimate the exact cost at the outset.

We have calculated the costs we would charge for administering a straightforward and simple estate so that you can have a clear and transparent view of the potential fees. You can then instruct us in confidence and focus on the things that you need to. Charges are made based upon our hourly charging rates of the fee earners who works on your matter. We do not take a percentage of the value of the estate. We will only charge for work we undertake.

Based upon our experience, we would anticipate that it will take between 18 and 25 hours of work. The estimated costs would be £4,950 to £6,875 plus vat. Hourly rates are set according to our fee earners' roles and experience. These range from £120 for a legal assistant to £275 for senior solicitor Hourly rates are subject to VAT and are reviewed annually. Details of our current hourly charge-out rates will be included in our letter of engagement with you, but do ask if you require further details.

Our team has a wealth of experience. Richard Wadsworth is a senior solicitor and Head of the Wills, Trust and Probate Team. Deborah Sandys is a fully qualified Trusts and Estates Practitioner and a member of the Society of Trusts and Estate Practitioners. She is also a member of the Law Society Private Client Section. Shona Cox is a tax specialist, within the Will, Trust and Probate department. She is a certified accountant and assists the department's solicitors in dealing with the tax compliance of estates. Shona is also a fully qualified Trusts and Estates Practitioner and a member of the Society of Trusts and Estate Practitioners. Roz Caldwell is a Private Client Executive with 15 years' experience in the private client department. The team are supported by three legal assistants Hilary Hoole, Toby North and Joy Dogherty who between them have over 50 years' experience in Wills, Trusts and Probate team since 2003.

### **This costs estimate is based on estates where:**

- There is a valid Will that does not contain any Trusts;
- There is no more than one property;
- There are accounts with no more than four Banks or Building Societies;
- There are no other intangible assets;
- The deceased was UK domiciled and all assets are in the UK (excluding Channel Islands and IOM);
- There are not more than four beneficiaries;
- There are no disputes between the beneficiaries regarding the division of assets. If disputes arise then 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 Inheritance Tax Account to HM Revenue and Customs;
- There are no claims made against the will or the estate;
- There is no requirement for a formal tax return to be submitted for the period of administration.

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### **In addition to our fee, there will also be other costs related to your matter which have to be paid to third parties.**

#### **These include:**

- The probate fees currently of £155 plus 50p for each sealed copy of the Grant required;
- A fee of £7 for each Executor to swear the Oath in application for the Grant. If there are any Codicils then there will be an increased fee for this of £2 for each Executor for each Codicil;
- A Bankruptcy Search fee of £2 for each Executor and beneficiary which will be incurred at the outset of the matter and before any distribution is made;
- A fee of approximately £200 for the publication of Notices in The London Gazette and a local newspaper to protect Executors from unexpected claims from unknown creditors and unknown beneficiaries.

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We handle the payment of these fees on your behalf to ensure a smoother process. It may be necessary to request a payment from Executors if we do not have access to funds in the estate at the stage when payment needs to be made.

### **Please contact us so that we can provide you with an individual quote based on your specific circumstances.**

There may be additional costs involved in dealing with the administration of the estate if:

- There is no Will and the rules of intestacy apply
- The estate consists of any shareholdings
- There are assets outside of the UK (including in the Channel Islands and IOM)
- The deceased was not UK Domiciled
- The deceased was a beneficiary of a Trust
- There is a Trust contained in the Will
- There is Inheritance Tax to pay or a full Inheritance Tax Account needs to be submitted to the Revenue
- Beneficiaries want to undertake any post death variations
- There is any challenge to the Will or a claim is made upon the estate
- Lifetime Income Tax of Capital Gains Tax Returns need to be dealt with
- You require us to deal with the sale or transfer of any property. This would be dealt with by our Conveyancing Department and a separate quote would be provided for this
- There are more than four beneficiaries named in the Will
- The beneficiaries request interim distributions
- There is a requirement for a formal Tax Return to be submitted for the administration period

## Timescales

It is difficult to estimate timescales for dealing with the administration of an estate. Average estates of this nature will typically be dealt with within 9 to 12 months, depending upon the sale of the property which could of course delay matters.

The initial stages of dealing with an administration of an estate involve ascertaining the extent of assets and liabilities in order to complete an Inheritance Tax Return. It can take approximately 8 to 12 weeks to have all of the information to hand. If there is no Inheritance Tax to pay then it can take a further 1 to 2 weeks to draft the Inheritance Tax Return and Oath for Executors together with any supporting documentation required. Once the papers are approved and signed by the Executors, it may take the Probate Registry a further 3 to 4 weeks to send out the Grant of Probate.

The next stage is then to close Bank accounts and collect in any other assets, deal with the sale of the property and pay any taxes due. At this stage, legacies will also be paid. Once all matters have been dealt with, we will prepare a set of Estate Accounts for approval by the Executors and residuary beneficiaries. After the Accounts have been approved by all parties, we can then make final distributions. We will always do our best to give you up to date timescales as the matter progresses.

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## Fee for obtaining the Grant

In some circumstances, Executors may wish to simply instruct us to complete an Inheritance Tax Return and obtain the Grant of Probate on their behalf. Even if no inheritance Tax is payable, a Return still needs to be completed to evidence the position.

If a simple Inheritance Tax Return needs to be completed then, on the basis that Executors provide us with all necessary information then we can offer a fixed fee of £895 plus vat. This fee includes an initial consultation, drafting of the Inheritance Tax Return and Oath, liaising with you regarding signing of the Probate papers, submitting the application on your behalf and providing you with the sealed copies of the Grant once obtained.

If you require further meetings, Deeds of Renunciation or any other advice then there may be an increased fee which we would be able to advise you of once we know the extent of the further work that you require to be undertaken.

If a full Inheritance Tax Account needs to be submitted to the Revenue but there is no Inheritance Tax payable then we would estimate our fees to be in the region of £1,500 plus VAT based upon the Executor providing us with all necessary information. Again, this would include an initial consultation, drafting of the Inheritance Tax Return and Oath, liaising with you regarding signing of the Probate papers, submitting the Inheritance Tax Return to the Revenue, submitting the application for the Grant on your behalf and providing you with the sealed copies of the Grant once obtained. However, this fee would depend upon the nature of the assets in the estate and any other circumstances that render it necessary to complete the full Return and we would be able to advise you of the cost once we have more information regarding the circumstances.

If there is Inheritance Tax payable then we would estimate our fees to be between £2,000 and £2,500 plus VAT. As above, this would be on the basis that you provide us with the necessary information and would include an initial consultation, drafting of the Inheritance Tax Return and Oath, liaising with you regarding signing of the Probate papers, submitting the Inheritance Tax Return to the Revenue and arranging payment of the tax, submitting the application for the Grant on your behalf and providing you with the sealed copies of the Grant once obtained. This fee would also depend upon the extent of the assets and any other relevant circumstances.

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## Helping You and Future Generations

When matters have been concluded, our expert in-house tax specialist Shona Cox will be pleased to advise beneficiaries about opportunities which may exist for their own tax or estate planning.



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