

Probate pricing information: Applying for the grant, collecting and distributing assets

Every estate is different and the exact cost will depend on the individual circumstances of the matter and the work that we are instructed to do. Our charges are generally based on the amount of time spent dealing with the matter which includes time spent in meetings (with you and perhaps others), considering, preparing and working on papers, correspondence, making and receiving telephone calls.

On average, straightforward estates are dealt with within 6-12 months but more complicated estates can take longer.

The main fee earner working on the matter will be supervised by a partner and assisted by one of our probate administrators who will assist with the operation of our computerised probate management and accounts system.

The hourly charge out rate will vary depending on which member of staff is carrying out work on your matter and range from £50 plus vat per hour (for probate administrators) to £290 plus vat per hour (for partners).

Telegraphic Transfer Fees are charged at £35 plus VAT.

The members of the Probate team are as follows:

Partners

Louise Igoe is the Head of Private Client and has been qualified since 2005. Louise manages complex probate matters involving high value probates and negotiates with HMRC in estates involving claims for agricultural and business property relief.

Martin Green is our Senior Partner, qualified in 1980 and has been with Lodders since 1988. He is recognised as a leading private client lawyer and has overseen the growth of the private client department into one of the largest and most highly regarded teams in the Midlands.

John Rouse qualified in 1995 and specialises in advising business owners, farmers and high net worth individuals on estate planning including their wills, LPAs, personal tax, structuring their business, trusts and bloodline planning.

Sofia Tayton qualified in 2003. In addition to probate, Sofia advises clients on powers of attorney, Court of Protection applications, care funding, wills and estate planning.

Associates and Senior Associates

Sharon Crosby qualified in 2013 and specialises in estate administration, dealing with some of the more unusual estates where there are complications in obtaining probate or dealing with the assets.

Alexia Haines qualified in 2014 specialising predominantly in the preparation of wills and the administration of estates.

John Padget qualified in 2014 and has recently joined the Lodders Private Client team

Gill Coombs is a qualified legal executive (qualifying in 2005) and has over 15 year experience in probate matters. Gill also runs the Henley in Arden office.

Vicki Gulliver is a qualified legal executive with over 5 years experience of probate issues and has been with Ladders since 2007.

Solicitors

Michael Brook qualified in 2016 after joining Ladders as a trainee. Michael undertakes a broad range of private client work, including wills, probate and private client related land matters.

Kerry Murphy is an executive who joined the team in February 2021.

Legal Executives and Paralegals

Alice Chapman, Gemma Bryan and Chrissie Green all support the probate team above.

We can handle the full process for you which may include the following:

- Obtaining details of the assets and liabilities at the date of death
- Obtaining formal valuations of properties, shares and other assets
- Preparing income tax returns to the date of death and for the period of the administration
- Preparing the inheritance tax return
- Dealing with the payment of any inheritance tax due
- Submitting the probate application using the Probate Registry's online system and arranging for a legal statement to be signed by the personal representatives
- Obtaining the Grant of Representation
- Collecting the cash balances from asset holders such as banks, building societies and life assurance providers
- Paying debts and the costs of the administration
- Dealing with enquiries raised by HMRC in relation to the inheritance tax liability of the estate
- Paying the cash legacies to the beneficiaries under the will
- Transferring properties
- Selling or transferring shares or other assets to the beneficiaries under the will
- Preparing estate accounts
- Accounting to HM Revenue and Customs for income tax and capital gains tax due from the estate and preparing estate tax returns where required
- Making the final distribution to the appropriate beneficiaries and accounting to the beneficiaries for income tax paid on their behalf

In a straightforward estate, we would expect our charges to be in the region of 1% - 2% of the gross value of the estate for inheritance tax purposes. In some estates, complications arise which are outside our control which mean that our fees will be higher. This could be as a result of protracted negotiations with HM Revenue & Customs, the estate containing foreign assets, or as a result of a family dispute. We would endeavour to let you know if any particular circumstances arise which will lead to an increase in our charges.

If we are instructed to only deal with part of the estate administration process, such as assisting in the application for the Grant of Representation our charges may be towards the lower end of the range. In all cases, there is a minimum charge of £1,500 plus vat for preparing the probate application papers and submitting the application and if the value of the actual time recorded at the applicable hourly rate exceeds £1,500 plus vat, then that higher amount plus vat will be charged. We will give an indication at the outset as to whether or not we are likely to exceed the minimum charge.

The above charges will not include the following:

- Preparing the deceased's tax return to the date of death
- Advising in detail on inheritance tax and/or capital gains tax planning for the beneficiaries and/or deeds of variation
- Acting in the sale of the house or other property
- Arranging for the first registration of property (if applicable)
- Preparing any tax returns or other documentation in relation to any trusts of which the deceased was a beneficiary or a trustee.
- Acting in any litigation that arises or in respect of any claims against the estate under the Inheritance (Provision for Family and Dependents) Act 1975.
- Providing advice relating to a business or farm in which the deceased had an interest.
- Advice regarding foreign assets (we advise you to seek advice from a lawyer qualified in the appropriate jurisdiction).
- Advice on whether to sell or transfer any assets/investments (we advise you to seek advice from a financial advisor or other appropriately qualified professional).
- Anything else not specifically identified in the 'Scope of Work' which will be provided at the outset of the matter.

Any work outside of the ordinary administration of the estate will be charged for separately and may include a combination of fixed fees and hourly rates. We will provide you with an estimate of our charges when the additional work is being assessed.

In addition to our fees, disbursements will be incurred which 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. Currently, disbursements may include:

- Probate application fee of £155 plus £1.50 for each office copy required.
- Statutory advertisement fee which protects against unexpected claims from unknown creditors. These may cost between £150 and £300 inc VAT
- Land Registry fee to obtain title information at £3.00 plus VAT per document.

If any other disbursements arise we will inform you of the fee.