

Probate can be a bewildering and confusing process and our fees will cover the following work:

- Providing you with a dedicated and experienced probate solicitor to work on your matter
- Identifying the legally appointed executors or administrators and beneficiaries
- Collating details of the assets and debts of the Estate and their values at the date of death
- Identifying the type of Probate application you will require
- Preparing any relevant Inheritance Tax forms, submitting the same to H M Revenue & Customs and making arrangements for the payment of the IHT
- Drafting a Statement of Truth for you to sign and completing the probate application to the Court.
- On receipt of the Grant from the court, writing to all asset holders and completing all forms necessary to release the funds to us
- On receipt of funds, paying any outstanding debts and expenses
- Paying any legacies due under a Will
- Advising on and drafting any post-death variation of the Will or intestacy and any Trust Deeds required
- Making any tax returns required by HMRC and paying any outstanding taxes to enable us to obtain tax clearance
- Calculating the amount available to distribute between the beneficiaries as per the terms of any Will or intestacy and preparing an Estate Account for approval by the Executors
- Attending to the distribution to the beneficiaries as described in the Estate Account

On average, estates that are straightforward are dealt with within 7-18 months. Typically, the work required to calculate the Inheritance Tax (if any) and obtain the Grant of Probate takes 4-6 months, to collect in the cash assets 1–2 months, to deal with the sale of any property 4-6 months, to obtain final clearance from HM Revenue & Customs and to distribute the net estate 1-4 months.

Examples of matters that can delay the progress of the administration of an Estate and therefore add substantially to the costs are:

- Whether a Will can be found
- Intestacy (when a person dies without leaving a Will)
- The number of Executors
- Whether we are the Executors and have to register the death and make funeral arrangements
- The number, type and location of assets
- How many of those assets are stocks and shares
- If there is more than one property
- If there are rental properties
- If there are foreign assets requiring multiple Grants to be obtained in other countries
- If assets come to light at a late stage in the administration.
- The number of beneficiaries
- If the residuary beneficiaries are Charities.
- If we need to trace beneficiaries
- Disputes between beneficiaries

This is why it is not easy for us to give an accurate estimate of the costs until we have had an initial meeting with you and have been able to obtain detailed information about the estate. At that stage we would be able to give you an estimate.

Our fees can be as little as £2,500 for a simple Estate escalating to £25,000 or more for a very complicated and exceptional matter. On average however our fees are around £8,000. All fees are subject to VAT at 20%.

We usually invoice the Estate once the Grant of Administration has been made by the Court and on an ongoing basis at intervals until the end of the matter. Unless there are no cash assets we normally take our costs from the monies we collect into the Estate before distribution to the beneficiaries.

We base our fees on the time we spend on a matter at an hourly rate depending upon the status and experience of the Solicitor acting i.e. between £220 and £300 per hour.

There is a charge for each letter and email sent out of 10% of the hourly charge and for letters and emails received at 5% of the hourly charge.

In addition, within the final invoice, we charge a percentage of the value of the Estate. The percentages are from 0.5% to 1% of the value of the cash assets, rising to 1.5% if we are the Executors; plus between 0.5% and 0.75% of the value of any real property (i.e. buildings and land).

In addition to our fees there are some expenses or disbursements payable to third parties:

- Will Search fee at £90 plus VAT
- Apostille fee (for foreign assets) from £54 per standard document
- Lost financial assets search fee £139.50 plus VAT
- Statutory Notices in the London Gazette and a local newspaper at approximately £260 plus VAT
- Copies of the Land Registry Register of Title & Title Plan to property £7.50 each plus VAT
- Probate/Administration application fee to the Court of £155 plus hologram copies at £1.50 each
- Bankruptcy searches £2.75 plus VAT per beneficiary
- To obtain copies of Court documents (e.g. Birth or Death Certificates or Grants of Probate of Spouses) from £11 each

As part of our Client Due Diligence, we will carry out an electronic identity/AML check with an outside agency to confirm the details we have been given by the executors. The cost of the electronic identity/AML check is £4.50 plus VAT per individual.

In accordance with GDPR best practices, Charles Coleman LLP engages a third party information management provider (FileMan) to safeguard the information within your client file for a minimum period of seven years and provide secure information management services. Archiving fees and charges will be charged to you at the cost to us of £39 + VAT for engaging FileMan Information Management to retain your completed file for a minimum of seven years and secure destruction of your client file at the end of the statutory seven year retention period, unless otherwise required. In cases where a physical file needs to be retrieved during this time there will be an additional cost of £19 plus VAT, as charged to us by FileMan.

**If you have any further queries of what is involved in administering an estate and the costs and expenses that will accrue, please speak to one of our Solicitors who deal with these matters and would be very happy to advise you. Their individual profiles can be found on our Lawyers page: Marsha Richardson, Elizabeth Urquhart Irvine, Abi Lewis, Nathan Kapoor, Shailja Angras**