

Legal Fee Information for Uncontested Probate

Introduction

Probate is the court-supervised process of gathering a deceased person's assets, paying debts and taxes and distributing what is left to those who are named as inheritors, in the Will.

Uncontested probate is where there is no dispute over the Will and distribution of assets.

Below we provide you with information on our Legal Fees, disbursements and the length of time it will take to complete your matter.

Legal Fees and Disbursements

Legal Fees is the amount you will be required to pay for all of the work performed by us in actioning your instructions, from commencement of your case to conclusion.

- Our average standard legal fee for an uncontested probate matter is between £1000 - £3000 + VAT (a total of £1200 - £3600.00 Inc. VAT). Below we detail what services are covered in our standard fee.
- Our hourly rate for handling an average uncontested probate matter range from £120 - £225 + VAT (a total of £144.00 - £306.00 Inc. VAT) and this will depend on the experience and qualification of the person handling your transaction.
- We will charge the sum of £35 + VAT (a total of £42.00 Inc. VAT) for Electronic money transfers.
- VAT will be payable on our fees and most disbursements and we will clearly confirm which disbursements carry VAT in our formal quotation or as we advise you to incur them.

The exact cost will depend on the individual circumstances of the matter. For example, if there is one beneficiary and no property, costs will be at the lower end of the range. If there are multiple beneficiaries, a property and multiple bank accounts, costs will be at the higher end.

We will handle the full process for you. Our Standard Fee estimate above is for estates where: -

- There is a valid will.
- There is no more than one property.
- There are no more than £325,000 in bank or building society accounts.
- There are no other intangible assets.
- There are 1 - 2 beneficiaries.
- There are no disputes between beneficiaries on division of assets. If disputes arise 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 account to HMRC.
- There are no claims made against the estate.
- There is no tax clearance awaited for either inheritance or income tax.

If at any stage our fees change, we will notify you and discuss the reason for any changes. This would typically occur if you change your instructions or your case involves an unforeseen complexity.

Disbursements

Disbursements are costs related to your matter that are payable to third parties. We handle the payment of the disbursements on your behalf, to ensure a smoother process.

You will be provided with a full list of disbursements in our formal quotation. If you need to incur any further disbursements during your case, you will be notified in advance of the reason and the amount. Typical disbursements will include: -

- Probate application fee (Probate Court Fee: £160).
- Swearing of the oath (per executor): £10 - £20.
- Bankruptcy only Land Charges Department searches (Land Register Fee: £10 - £20).
- Post in The London Gazette – Protects against unexpected claims from unknown creditors.
- Post in a Local Newspaper – This also helps to protect against unexpected claims.

How long will this take?

On average, estates that fall within this range are dealt with within 6 – 12 months. Typically, obtaining the grant of probate takes 12 - 18 weeks.

Collecting assets then follows, which can take between 6 - 12 weeks. Once this has been done, we can distribute the assets, which normally takes 2 - 3 weeks.

Stages of the Process

The precise stages involved in an uncontested probate vary according to the circumstances. We have set out the key stages of a standard transaction: -

- Providing you with a dedicated and experienced probate solicitor to work on your matter.
- Undertaking regulatory checks.
- Identifying the legally appointed executors or administrators and beneficiaries.
- Accurately identifying the type of Probate application you will require.
- Obtaining the relevant documents required to make the application.
- Completing the Probate Application and the relevant HMRC forms.

- Drafting a legal oath for you to swear.
- Making the application to the Probate Court on your behalf.
- Obtaining the Probate and securely send two copies to you.
- Collecting and distributing all assets in the estate.

Potential additional costs Further potential costs may arise where: -

- If there is no will or the estate consists of any share holdings (stocks and bonds) there is likely to be additional costs that could range significantly depending on the estate and how it is to be dealt with.

We can give you a more accurate quote once we have more information.

- If any additional copies of the grant are required, they will cost £1 (1 per asset usually).
- Dealing with the sale or transfer of any property in the estate is not included.

The following fee-earners deal with uncontested probate work:

Karen Charles – Director – Solicitor

Karen specialises in wills and probate, attorneys and residential conveyancing. Admitted in February 1990, Karen joined Richard Wilson Long (then Richard Wilson & Co) in 1994 becoming a Partner in 1997. She is a member of the Society of Trust & Estate Practitioners.

Jon Charles – Director – Solicitor

Jon qualified in 1994 and specialises in dispute resolution for both individuals and corporate clients, including matters relating to Matrimonial, Issues Relating to Children. He also specialises in Conveyancing and undertakes matters relating to Probate and Wills. He successfully established JM Charles & Co Solicitors in 1997 and his firm amalgamated with Richard Wilson Long in July 2012 creating a stronger, more diverse and dynamic company, which has so much more to offer our private clients.

Questions

If you have any questions relating to our services and our fees, please contact us on 0118 984 2266 or email us info@richardwilsonlong.co.uk.