

## **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 beneficiaries, 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**

All of the work will be carried out by a qualified solicitor (occasionally a trainee solicitor supervised by a qualified solicitor). Our Probate work supervisor is Mr Arwel Lewis Jones, a partner in the firm.

A broad outline of the work will be as follows:

- Obtaining details of the assets and liabilities of the estate, obtaining valuations, as appropriate, of assets as at date of death;
- Preparing the appropriate Inheritance Tax return/account for filing at HMRC and the papers necessary to submit the application to the Court for a grant of representation to the estate;
- Arranging payment of any tax due;
- Upon receipt of the Grant of Representation from the Court, realising/transferring assets as appropriate;
- paying any debts of the estate and any legacies; and
- accounting to the beneficiaries for the net residuary estate

### **Our charges**

The amount of work required in relation administering the estate of a deceased person varies from one estate to another depending on the circumstances and complexity of the estate, such as:-

- If we are the executors
- the number of assets
- the value of the assets
- whether the estate is taxable or a full inheritance tax account needs to be filed at HMRC
- whether the deceased left a Will
- the number of beneficiaries
- whether all the beneficiaries are known and can be located
- the nature of the assets, for example foreign assets, gifts in 7 years before death or assets held in trust will be more involved
- if the estate/Will becomes disputed
- if the assets of the estate consist of several shareholdings
- it is necessary to claim business property relief or agricultural property relief
- if we need to correspond with utility companies relating to any property of the deceased

Accordingly our fees are based on the hourly rate of the solicitor dealing with your matter which varies from £180 to £230 per hour. If the estate is complex, we occasionally charge by reference to the value of the estate (0.5% of the value of land/buildings and 1% of any the value of cash/savings/investments.

### **Indicative fees**

We would expect our fees for the administration of a non-taxable estate (meaning an estate valued at less than £325,000 or £650,000 if the deceased was the surviving spouse/civil partner) with no disputes and up to 10 assets to be between £750 to £3,000 plus VAT. (£900.00 - £3,600.00 Inc. VAT)

Estates which are taxable to inheritance tax, or which feature one or more of the factors listed above will incur a higher fee usually from £2,500 to £7,500 plus VAT. (£3,000 - £9,000 Inc. VAT)

We will provide you with an estimate for your approval before starting any work.

We are happy to accept instructions where the executors wish to deal with some aspects of the estate administration themselves, such as contacting asset holders or dealing with utility companies which will reduce the amount of our fees. We would be pleased to discuss your requirements in this regard.

- We will charge the sum of £25.00 plus VAT (£30.00 inc. VAT) for electronic money transfers.
- If at any stage our fees change, we will notify you and discuss the reason for any changes. This would typically occur if you changed your instructions, or your case involves an unforeseen complexity.

### **Disbursements and Other Costs**

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: £273 plus £1.50p for every official copy).
- Property Valuation fee – varies (estimated) - £300- £400.00 + VAT (£360.00 - £480.00 Inc. VAT)
- Bankruptcy only Land Charges Department searches: £2.00 for each beneficiary
- Statutory Notices - £200.00 - £300.00 + VAT (£240.00 - £480.00 Inc. VAT)

### **Likely timescales**

It is difficult to be precise about the time scale for this type of work due to the number of variables involved. HMRC takes about a month to process an Inheritance Tax account. The Probate Court currently takes 2 months to process an application for a grant. Taking this into account and that it might be necessary to sell a property before the estate can be finalised it will usually take from 6 months to 24 months to complete the administration of an estate.

### **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 case: -

- 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 information required to make the application.
- Completing the Probate Application and the relevant HMRC forms.
- Making the application to the Probate Court on your behalf.
- Obtaining the Probate
- Collecting and distributing all assets in the estate.
- Finalising any residual tax issues

### **Potential additional costs**

Further potential costs may arise where any of the factors listed on page 1 (under heading Our Charges). We can give you a more accurate quote once we have more information.

### **Fee Earners**

The following fee earners handle Uncontested Probate matters:

Our Probate work supervisor is [Mr Arwel Lewis Jones LL.B](#) , a partner in the firm, you can view his full profile [here](#):

Lynda Roberts MSc LL.B	Porthmadog & Barmouth	View full profile by clicking <a href="#">here</a>
David A Hughes LL.B	Barmouth Office	View full profile by clicking <a href="#">here</a>
Bethan Lloyd Roberts LL.B	Pwllheli Office	View full profile by clicking <a href="#">here</a>
Amanda Brookes LL.B	Porthmadog Office	View full profile by clicking <a href="#">here</a>
Rhys Tudur LL.B	Porthmadog & Pwllheli	View full profile by clicking <a href="#">here</a>
Lowri Blain LL.B	Barmouth Office	View full profile by clicking <a href="#">here</a>
Masara Sandells LL.B MLAW	Barmouth Office	View full profile by clicking <a href="#">here</a>
Catherine Owen LL.B	Porthmadog Office	View full profile by clicking <a href="#">here</a>

### **Questions**

If you have any questions relating to our services and our fees, please contact us:

[Breese Gwyndaf @ Porthmadog](#)

[Breese Gwyndaf @ Pwllheli](#)

[Breese Gwyndaf @ Barmouth](#)