

## **PROBATE PRICING**

At Butterworths, we believe that the cost of providing legal services should be transparent so that you get no surprises.

### **OUR CHARGES**

Our charges for uncontested probate work on a private-paying basis will be at an hourly rate of £180 per hour for Mr Grant Harrison, £200 per hour for Mrs Fiona Reid and Mrs Nicola Broyan and £265 per hour for Mr Anthony Butterworth plus VAT. Routine letters, emails and telephone calls will be charged as units of one-tenth of an hour. Other letters, emails and calls will be charged on a time basis. On 1 January of each year, the hourly rates are reviewed to take into account changes in overhead costs and you will be notified in writing of any increased hourly rate.

Our estimates below are based upon a rate of £200 per hour plus VAT. It is difficult to give an accurate assessment of your likely legal costs at this early stage and the estimates below are not a binding quotation and cannot allow for each and every scenario which may occur. The exact costs and disbursements 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. Once we have full details of your matter, we will be able to provide you with a more accurate estimate. If our estimate changes for any reason, we will provide you with a revised estimate of our charges.

Broadly speaking, we estimate that the costs of administering an estate are likely to be about 1% of the value of the estate but subject to a minimum cost of £3,000 plus VAT and the costs are unlikely to exceed £10,000 plus VAT in all but the most complicated of estates.

### **DISBURSEMENTS**

In addition to your legal costs with Butterworths, you may also incur some disbursements. Disbursements are costs related to your matter that are payable by you to third parties, such as court fees. We handle the payment of the disbursements on your behalf to ensure a smooth process but you may be required to pay the funds to us on account before we incur these.

## **WHAT WORK IS INCLUDED IN OUR ESTIMATE?**

At Butterworths we offer 2 options to deal with your matter.

The first option is that Butterworths obtains the grant of probate or grant of letters of administration and for you to administer the estate (to collect in the assets, pay the debts and pay the beneficiaries) yourself. This option may be preferable if the estate is fairly small and relatively straightforward. An estimate of the cost to you and the anticipated time-scale is available by clicking here<sup>1</sup>.

The second option is that Butterworths obtains the grant of probate or grant of letters of administration and Butterworths administers the estate. It may be that you wish to take responsibility for certain aspects yourself, such as paying the household utility bills yourself, and which will reduce your costs. An estimate of the cost to you and the anticipated time-scale is available by clicking here<sup>2</sup>.

In either case, we will:

- Provide you with a dedicated and experienced probate solicitor or experienced probate clerk to work on your matter;
- Take your detailed initial instructions;
- Identify the legally appointed executors or administrators and beneficiaries;
- Accurately identify the type of probate application you will require;
- Locate the will (where applicable);
- Obtain and review the relevant documents / papers required to make the probate application;
- Ascertain the values for the estate assets and liabilities;
- Complete the probate application and the relevant HMRC inheritance tax forms;
- Draft a legal oath for you to swear;
- Make the application to the probate court on your behalf;
- Obtain the grant and securely send two copies to you;

Additionally, if Butterworths is instructed to administer the estate we will:

- Collect in the assets;
- Prepare the estate accounts and have them approved;
- Distribute the legacies and residuary estate.

## **ASSUMPTIONS – WHAT WORK IS NOT INCLUDED IN OUR ESTIMATE AND MAY CAUSE ADDITIONAL COSTS?**

The estimates assume that:

- The will is valid. A dispute about the validity of the will is likely to lead to an increase in costs;

- 1 executor / administrator and 6 copies of the grant are required. If there are additional executors / administrators and / or additional copies of the grant are required, this is likely to lead to an increase in costs;
- Inheritance tax is not payable (currently £325,000) and that the executors do not need to submit a full account to HMRC. If a full account to HMRC is required, this is likely to lead to an increase in costs;
- There are no claims made against the estate. If there are claims made against the estate, this is likely to lead to an increase in costs;
- There are no disputes between beneficiaries about the division of assets. A dispute between beneficiaries about the division of assets is likely to lead to an increase in costs;
- You DO NOT choose any of the additional services recommended by us, such as advertising for creditors to protect against unexpected claims against the estate. Examples of these recommendations are:
  - Statutory Advertisements     £100 - £260 including VAT
  - Asset Search                        up to £135 plus VAT
  - Will Search                            £71 - £199 plus VAT depending on search level
  - Bankruptcy Searches                £2 per beneficiary

We will provide you with sufficient advice to allow you to make a decision as to whether to incur these additional costs. These are not mandatory. The above list is not exhaustive.

- There is no more than 1 property in the estate. Please note that the estimate DOES NOT include any legal costs for dealing with the sale or transfer of any property in the estate;
- There are no more than 6 bank or building society accounts to collect in required. If there are additional bank or building society accounts to collect in, this is likely to lead to an increase in costs and additional disbursements as additional copies of the grant will be required;
- There are no stocks and shares. If there are stocks and shares, this is likely to lead to an increase in costs.
- There are no other intangible assets (such as patents and copyrights);
- There are no assets outside the UK;
- There are no more than 6 beneficiaries. If there are additional beneficiaries, this is likely to lead to an increase in costs.

The estimate DOES NOT include making any claims to the NHS for any possible refund of care charges paid during the deceased's lifetime and DOES NOT include making any claims to the local authority for any possible refund of care homes charges paid during the deceased's lifetime.

The estimate DOES NOT include advice to beneficiaries of the estate where separate advice is tailored to individual circumstances may be necessary.

The estimate DOES NOT include detailed tax advice (other than advice regarding the estate's Inheritance Tax liability) unless specifically asked to do so.

## **<sup>1</sup>IF BUTTERWORTHS OBTAINS THE GRANT OF PROBATE OR GRANT OF LETTERS OF ADMINISTRATION AND FOR YOU TO ADMINISTER THE ESTATE**

### **OUR ESTIMATE**

Our estimate, based upon an hourly rate of £200 per hour plus VAT, is **£1,500 – £2,000 plus VAT of £300** based upon an estimated 7.5 – 10 hours of work.

In addition, we anticipate disbursements of **£177** comprised as to:

- settling fee £12
- swearing oath fees approximately £7 per executor / administrator (must be sworn before a solicitor outside Butterworths and the oath fee is payable by you direct to the solicitor)
- probate application fee £155
- copies of grant 50p each

### **HOW LONG WILL IT TAKE?**

If Butterworths obtains the grant only, typically this is obtained in about 2 months.

## **OUR ESTIMATE IF BUTTERWORTHS OBTAINS THE GRANT OF PROBATE OR GRANT OF LETTERS OF ADMINISTRATION AND BUTTERWORTHS ADMINISTERS THE ESTATE**

Our estimate, based upon an hourly rate of £200 per hour plus VAT, is **£3,000 – £5,000 plus VAT of £600 – £1,000** based upon an estimated 15 – 25 hours of work. Complex estates could be considerably more.

In addition, we anticipate disbursements of **£177** comprised as to:

- settling fee £12
- swearing oath fees approximately £7 per executor / administrator (must Be sworn before a solicitor outside Butterworths and the oath fee is payable by you direct to the solicitor)
- probate application fee £155
- copies of grant 50p each

### **HOW LONG WILL IT TAKE?**

If Butterworths obtains the grant and administers the estate, typically the grant is obtained in about 2 months.

Collecting assets then follows, which can normally take between 2 - 6 months.

Once the assets have been collected, we can distribute the assets, which can normally take between 2 – 4 months.

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