



Freeman Johnson Solicitors

## **Price and Service Information**

### **Probate and Administration of Estates**

#### **Introduction**

As part of our professional rules, we aim to ensure that anyone wishing to use our services has the information they need to make an informed choice of legal services provider, including understanding what the costs may be.

#### **Why instruct Freeman Johnson Solicitors?**

Freeman Johnson has more than 150 years' experience in helping people handle their wills and probate matters. By planning for the future, you can guarantee that your loved ones will not have to experience the added pain of being disinherited or receiving no financial support. At Freeman Johnson we offer a complete estate administration service to deal with everything for you.

From our conveniently-situated offices in Darlington, Durham and Northallerton, our approach to clients is one of friendliness and efficiency. Our services include advice about preparing a Will, creating a Lasting Power of Attorney, estate planning and the administration of estates.

The death of a loved one is an extremely distressing and confusing time that also brings up an array of important duties and decisions. In such instances, you can turn to Freeman Johnson 's specialist solicitors to help you deal with the deceased's estate and financial matters. Your estate solicitor can take responsibility for informing all necessary companies and providers that your loved one has passed away. They will provide you with an accurate breakdown of the assets and liabilities for the estate. Papers will then be drafted to apply for probate to gather the estate's assets, discharge the liabilities and pay any legacies to beneficiaries.

Freeman Johnson can also deal with estates when a person has not left a valid will and has died intestate. The process is similar to that above, but our expert solicitors can also seek out the unknown family of deceased loved ones and ultimately resolve the situation.

You can be assured of an excellent service by virtue of the fact that we have achieved the Law Society Lexcel quality standard.

#### **About our fees**

Obtaining a Grant of Representation and dealing with an administration of an estate can be complicated; it usually takes several months and complex cases can take over a year to ensure everything is done properly. Every estate is different, and so it can be very hard to quantify probate costs. The work can vary from very straightforward estates with only one or two small value assets and one beneficiary, to complicated estates where there is inheritance tax to pay, multiple beneficiaries and assets held with numerous organisations as well as property and land to sell or transfer. However, to assist our clients, we have set out below an indication of the likely

costs involved in probate and administration of estate matters along with an indication of the potential timescales.

## **Estate Administration: Applying for the grant, collecting and distributing the assets**

### **What the service includes**

We will:

- Provide you with a dedicated and experienced probate solicitor to work on your matter
- Identify the legally appointed executors or administrators and beneficiaries
- Accurately identify the type of Probate application you will require
- Obtain the relevant documents required to make the application and liaise with all relevant organisations
- Complete the Probate Application and the relevant HMRC forms
- Draft a Statement of Truth for you to sign
- Make the application to the Probate Registry on your behalf
- Obtain Grant of Probate and office copies
- Deal with closure of accounts, collect in estate funds and pay any liabilities
- Prepare a final estate account and distribute the estate to the beneficiaries

### **Anticipated charges and expenses**

As we have stated earlier, it is difficult to be precise about the anticipated costs as the exact cost will depend on the individual circumstances of the matter. Therefore, we have set out below the estimated costs of a typical, straightforward transaction. For this example we have assumed:

- There is a valid will
- An estate in which there are no more than three bank accounts;
- No more than one property in the sole name of the deceased;
- No debts;
- No likelihood of the estate being insolvent;
- No significant lifetime gifts;
- No shareholdings;
- No trusts to be established;
- No dispute between the beneficiaries on the division of the assets;
- No Inheritance Tax payable and the Executors do not need to submit a full IHT return to HMRC;
- No requirement to use the transferable nil rate band or residence nil rate band;
- No other intangible assets;
- No claims made against the estate;
- No agricultural or business element to the estate;
- No foreign element to the estate.

Administration of estates work is normally charged on a time spent basis.

Estimated time required	16	hours
Hourly rate	£230.00	per hour (Partner-Solicitor)
Our fees	£4680.00	excl. VAT
VAT at 20%:	£936.00	
<b>Total</b>	<b>£5616.00</b>	+ disbursements (see below)

Disbursements 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. Disbursements in addition to the above fees include:

<b>Description</b>	<b>Typical costs</b>
Probate application fee	£155.00
Office copies of the Grant of Probate	£1.50 per copy
Bankruptcy search fee	£1.00 per beneficiary
Section 27 Trustee Act notice fee (this protects the Trustees against creditors)	£300.00 - £400.00
Land Registry fees depending on the value of the property and whether it has been registered before. Please note that higher-value unregistered property can cost up to £680 and properties over £1M even more	£30.00 - £400.00
Land Registry search fees	£3.00 plus VAT
Copy Death Certificate and any other Certificates required	£11.00 per Certificate

### **Factors that would increase the costs of your matter**

- Not having all of the paperwork available or having incorrect information that needs investigation and correction;
- Third parties not responding to our communications promptly;
- Dealing with unusual, foreign or complex assets or items.

### **Potential additional costs**

If there is no will or the estate consists of any share holdings (stocks and bonds) or assets with more than three different organisations, there are likely to be additional costs that could range significantly depending on the estate and how the assets are to be dealt with. Dealing with the sale or transfer of any property in the estate is not included in the above costs.

Where the assets in an estate are likely to be of a high value or the estate is more complex then we may add a 'value uplift' based on no more than 1% of the liquid assets in the estate plus VAT and 0.5% of the value of the property in the estate plus VAT.

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

### **How long will this take?**

It is difficult to estimate with any precision how long a Probate matter will take as it will be influenced by many factors, some of which are outside of our control. However, on average, estates that fall within this range are dealt with within 6-9 months.

## **Application for Grant of Probate only**

### **What the service includes**

We will:

- Provide you with a dedicated and experienced probate solicitor to work on your matter

- Identify the legally appointed executors or administrators and beneficiaries
- Accurately identify the type of Probate application you will require
- Obtain the relevant documents required to make the application
- Complete the Probate Application and the relevant HMRC forms
- Draft a Statement of Truth for you to sign
- Make the application to the Probate Registry on your behalf
- Obtain the Grant of Probate and securely send copies to you

### Anticipated charges and expenses

We can help our clients through this difficult process by obtaining the Grant of Probate on their behalf. Our typical costs below assume that we are instructed to seek Grant of Probate only, that no full Inheritance Tax Return requires to be completed and submitted to HMRC, and all financial information is supplied by the Executor.

Fixed fee:	£450.00	excl. VAT
VAT at 20%:	£90.00	
<b>Total</b>	<b>£540.00</b>	+ disbursements (see below)

Our typical costs for an application for Probate where a full Inheritance Tax Return is required to be submitted to HMRC is as set out below.

Fixed fee:	£800.00 - £1,000.00	excl. VAT
VAT at 20%:	£160.00 - £200.00	
<b>Total</b>	<b>£960.00 - £1,200.00</b>	+ disbursements (as above)

Disbursements 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. Disbursements in addition to the above fees include:

Description	Typical costs
Probate application fee	£155.00
Office copies of the Grant of Probate	£1.50 per copy

Please note the above indicative figures are for obtaining a Grant of Probate only and do not include the administration of the estate.

### How long will this take?

It is difficult to estimate with any precision how long such a matter will take but, on average, such applications are dealt with and finalised within 8-16 weeks.

### Our Wills and Probate Team

**Helen Thompson**

**Partner-Solicitor and Head of Wills and Probate Department**

Please refer to the Staff Profiles pages for an outline of their skills, knowledge and experience

**Sarah Hall**  
**Partner-Solicitor**

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**Updated:** April 2021