

Applying for the grant, collecting and distributing the assets

The information below is applicable regardless of whether there is a valid Will or not. For the avoidance of doubt, we do not deal with cases where assets are in dispute or where there is a dispute as to the validity of a Will.

To apply for the grant, collect and distribute the assets, we are obliged under the Solicitors Regulation Authority's transparency rules to offer you information as to the timescale and cost of the work involved.

How are fees are calculated:

We calculate our fees with reference to an hourly rate. As is typical in the legal profession, this hourly rate is split into ten 6-minute units and work is charged at time cost rounded up to the nearest unit.

What sort of work is chargeable:

Before you incur legal fees with us, you will be given concise information about our terms and conditions which will include a description of how we work and how we apply our charges. Typically, we charge for:

- Attendances (both on the telephone and in person)
- Preparing correspondence (which may include emails and faxes)
- Receiving and considering correspondence (which again may include emails and faxes)
- Preparing, amending, finalising and engrossing documents

How much will our fees be:

The exact cost will depend on the individual circumstances of the matter. For example, if there is one beneficiary, no property and no Inheritance Tax (IHT) to pay, costs will likely be in the region of £2000 plus VAT (which equates to approximately 10 hours' worth of work charged at £200 per hour).

If there is IHT to pay or if there are multiple beneficiaries, a property and multiple bank accounts, costs will likely be up to approximately £8,000 plus VAT (which is roughly 40 hours' worth of work charged at £200 per hour).

It is our practice to deduct our fees from the assets collected and VAT at 20% is added to our fees – the above figures do not include VAT.

What do our fees cover:

Our service to you covers:

- Providing you with a named and experienced probate solicitor to work on your matter
- Where appropriate, 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 (if applicable)
- Arranging the payment of IHT
- Drafting a legal oath for the executors or administrators 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

Will there be other costs?

In addition to our legal fees, you should expect to incur the following disbursements:

- Probate application fee of £155.00
- Additional copies of Probate (at £0.50p each) - £5.00
- £5.00-£7.00 for swearing the oath (per executor)
- Bankruptcy searches (£3.00 per beneficiary)
- £220.00 to post in The London Gazette (this protects the executors or administrators against unexpected claims from unknown creditors)
- £40.00 - £200.00 to post in a Local Newspaper (this also helps to protect against unexpected claims)

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.

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.

How long will this take?

Typically, obtaining the grant of probate take 2-4 weeks, or 4-8 weeks if reference is made to HMRC first (for the payment of inheritance tax). The time it takes to then collect and distribute assets will vary from case to case but typically we expect that estates should be dealt with within 8 to 12 months.

What are the limitations to our service:

We are unable to assist with cases where there is a dispute regarding the ownership of assets, or a dispute regarding the validity of a Will. This is known as “contentious probate” and the “Find A Solicitor” tool on the Law Society’s website will assist you in finding a legal services provider local to you who can assist.

We are also unable to assist with the sale of any property. However, we can transfer property from the deceased’s name to their beneficiary or beneficiaries and this will cost a further £250.00 plus VAT.

Who will carry out the work

Although the majority of our lawyers specialise in family law, we have a team of experienced lawyers dedicated to “private client” work which encompasses Will drafting, probate administration, arranging Lasting Powers of Attorney, Living Wills and Deputyship. Our team was established by a Solicitor with over 15 years’ experience in this discipline of work and now consists of the following individuals:

Michael Swan – Solicitor and Notary Public

Michael has experience in Private Client matters including Will drafting, Lasting and Enduring Powers of Attorney, Court of Protection applications and probate matters. He is committed to delivering a high standard of service in a supportive and empathetic manner.

Michael gained a law degree from the University of Law, and qualified as a solicitor in 2014. He completed his training contract at a Berkshire firm before joining K J Smith solicitors in 2018.

Michael is currently working towards membership of the Society of Trust and Estate Practitioners (STEP), which is a global professional association for practitioners who specialise in family inheritance and succession planning. In addition, Michael is working towards membership of the Solicitors for the Elderly. This is a specialist group of lawyers to support and make a difference to older and vulnerable people.

Rubi Athar – Paralegal and Trainee Legal Executive

Rubi Athar has several years’ experience as a paralegal. Her expertise covers Will drafting, Lasting Powers of Attorney, Deputyships and the administration of Estates.

She is known for her attention to detail and caring manner.

Rubi is currently undertaking legal studies at the Institute of Chartered Legal Executive with the aim of qualifying as a Chartered Legal Executive.