



## Legal Costs for Obtaining the Grant of Probate

### Legal costs

There are two main elements to the legal costs of obtaining a grant of Probate:

- our charges;
- expenses we must pay out on your behalf

### Our charges

Our hourly rates for obtaining a grant of Probate

Senior Solicitors qualified 8 years +	£225.00
Solicitors qualified from 4 to 8 years	£200.00
Newly Qualified Solicitors and Legal Executives	£170.00

On a simple estate with a limited number of assets which are UK based and easily identifiable, this type of work can take as little as 2 hours to complete. Our charges will increase if there are multiple assets, if the assets are held overseas, if the deceased died without a will, if there are multiple executors, if there is a dispute over the estate, or any other complicating factors (this list is non exhaustive). This means that on average our charges will be between £340 – in excess of £2000 depending on the specific circumstances and who does the work. We will provide a more detailed estimate after speaking to you.

The exact number of hours it will take depends on the circumstances of your case, such as:

- Whether or not there is a valid will;
- The number of shareholdings, bonds or other investments in the estate;
- Whether or not there is inheritance tax to pay;
- Whether or not the estate is disputed in any way;
- Whether or not any assets are held overseas;
- Whether or not there are multiple executors.

Once again, this list is non-exhaustive.

If there is a valid will, that there are less than 6 different asset holders, no disputes regarding the estate, no foreign assets, and a single executor, our charges are likely to be at the lower end of this range.



We reserve the right to increase the hourly rates if the work done is particularly complex or urgent, or the nature of your instructions requires us to work outside normal office hours. If this happens, we will notify you in advance and agree an appropriate rate.

We will review our hourly rates on a periodic basis. This is usually done each January. We will give you advance notice of any change to our hourly rates.

Our charges and hourly rates above do not include VAT, which we will add to your bill at the prevailing rate (currently 20%).

### **Expenses**

We would usually expect to incur certain expenses your behalf which we will also add to your bill. The amount of expenses can vary and the following is an estimate only:

Expense	Estimated amount	VAT chargeable
Probate Registry Fee	£273	no
Swear Fee (per executor)	£5	no
Bankruptcy Search against the deceased	£2	no

Please note that the above list only demonstrates typical examples of the expenses that may be incurred, and we simply pass on the cost of arranging these for you. Not all of the above expenses may be required. Once again, we recommend that you speak to us to enable us to provide a more detailed estimate which deals with the specifics of your case.

### **Estimated total legal costs**

We estimate that the average cost of obtaining a Grant of Probate will be in the range of £620.00 up to £2280.00, including our charges and the expenses we expect to pay on your behalf but excluding VAT.

This estimate includes:

- Gathering together all financial information regarding the estate;
- Organising any property valuations that may be necessary;
- Applying for a grant of probate.

### **Additional costs**

The 'Estimated total legal costs' shown above assumes there is a valid will, that there are less than 6 different asset holders, no disputes regarding the estate, no foreign assets, and a single executor.



Additional amounts may be payable for our charges and/or expenses if these assumptions are not correct re is no will, the assets or tax situation are complex or distribution of the estate is contested.

The 'Estimated total legal costs' specifically does not include:

- the sale or transfer of any property forming part of the estate;
- any cost for collecting in the assets;
- providing tax advice or dealing with HMRC about inheritance tax;
- preparation of estate accounts;
- administering the estate and distributing any money or assets due.

### **Likely timescale and key stages**

Obtaining the Grant of Probate usually takes approximately 4 months from receiving your instructions. If any complications of this or any other nature arise the matter will take a longer. We will advise you if and when this occurs.

### **Our expertise**

Our team has over 60 years of collective experience in delivering high-quality work in all matters relating to probate and estate administration. The team has particular expertise in advising on tax matters arising from the administration of the estate, and in advising on Trusts.

For details of the members of the team who may work on your matter, please see: <https://www.brockbanks.co.uk/private-client/dealing-someones-affairs-after-their-death/>. Regardless of who works on your matter, they will be supervised by Josephine Walker, who is a Solicitor and a Trusts and Estate Practitioner and who heads up our Private Client Department.

### **Complaints**

We want to give you the best possible service. However, if at any point you become unhappy or concerned about the service we have provided, please inform us immediately so that we can do our best to resolve the problem.

In the first instance it may be helpful to contact the person who is working on your case to discuss your concerns and we will do our best to resolve any issues at this stage. If you would like to make a formal complaint, then you can read our full complaints procedure here [*link to your process*] Making a complaint will not affect how we handle your case.

We will always attempt to resolve any complaints, but where this is not possible, complaints and redress mechanisms are provided through the Solicitors Regulation Authority and the Legal Ombudsman.



## **Solicitors Regulation Authority (SRA)**

The SRA can help you if you are concerned about our behaviour. This could be for things like dishonesty, taking or losing your money or treating you unfairly because of your age, a disability or other characteristic.

You can raise your concerns with the [Solicitors Regulation Authority](#).

## **Legal Ombudsman**

The Legal Ombudsman can help if we are unable to resolve your complaint ourselves. The Legal Ombudsman will look at your complaint independently and it will not affect how we handle your case.

Before accepting a complaint for investigation, the Legal Ombudsman will check that you have tried to resolve your complaint with us first. If you have, then you must take your complaint to the Legal Ombudsman:

- within six months of receiving our final response to your complaint; and
- no more than:
  - six years from the date of act/omission; or
  - three years from when you should reasonably have known there was cause for complaint.

If you would like more information about the Legal Ombudsman, please use the contact details below:

Visit: [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk)

Call: 0300 555 0333 between 9am to 5pm.

Email: [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk)

Legal Ombudsman PO Box 6806, Wolverhampton, WV1 9WJ

The Legal Ombudsman deals with complaints by consumers and very small businesses. This means some clients may not have the right to complain to the Legal Ombudsman, eg charities or clubs with an annual income of more than £1m, trustees of trusts with asset value of more than £1m and most businesses (unless they are defined as micro-enterprises). This does not prevent you from making a complaint directly to us.

## **Complaints and redress via ODR platform**

If we are unable to resolve your complaint, and it relates to a contract entered into online or by other electronic means, you may also be able to submit your complaint to a certified alternative dispute resolution (ADR) provider in the UK via the EU ODR platform.

The ODR platform is an interactive website offering a single point of entry for disputes between consumers and traders relating to online contracts. The ODR platform is available to consumer clients only, ie where you have instructed us for purposes outside your trade, business, craft or profession.



The website address for the ODR platform is: <http://ec.europa.eu/odr>.

### **Regulatory information**

Brockbank Curwen Cain & Hall Ltd is authorised and regulated by the Solicitors Regulation Authority (SRA). Our SRA registration number is 00384225.