

If Fosters Solicitors are instructed to act in the administration of an estate, the costs and timescale will vary according to the estate of the deceased person. We therefore set out a range of costs and timescales.

GLOSSARY OF TERMS

- Grant of Probate (a court order applied for to 'prove' the Will of a deceased person, made by the executors appointed by the deceased person in a fully valid Will).
- Grant of Letters of Administration (a court order applied for in relation to the estate of a person who died without a fully valid Will, appointing 'Administrators' to act in the administration of the estate).

TYPICAL INSTRUCTIONS RECEIVED

We may be instructed to provide:

Advice only, for example:

Advice as to the validity of a Will.

Advice as to those entitled under the Rules of Intestacy.

Advice in relation to a Deed of Variation.

Advice to an executor or administrator as to their legal duties and obligations.

Advise as to whether a Grant of Probate or Grant of Letters of Administration is necessary.

Grant only

Applications for the grant on behalf of the executor or administrator, the executor or administrator having themselves obtained full probate information which we use to apply for the grant on their behalf. The executor or administrator deals with the administration of the estate themselves.

Estate Administration

We deal with all or part of the administration which could include:

- Registering the death.
- Making the funeral arrangements.
- Obtaining full details of the assets and liabilities of the estate.
- Drafting the Oath.
- Completing the relevant HMRC form.
- Applying for the grant.
- Registering the grant with the various financial organisations.
- Receiving the estate funds.
- Distributing the estate in accordance with the Will or rules of intestacy.
- Preparing estate accounts.

TYPICAL TIMESCALES

Advice only instructions will be completed in two weeks, comprising an initial meeting and follow-up letter of advice.

A typical timescale where an estate does not require an application to be made for a Grant of Probate or a Grant of Letters of Administration is three to six months.

A typical timescale where an estate does require an application to be made for a Grant of Probate or Letters of Administration is nine to 12 months.

TYPICAL COSTS*

- Advice only instructions: Costs range from £280 to £840 plus VAT.
- Grant only applications: £1,500 to £4,500, depending on taxable status of application plus VAT plus disbursements (see below).
- Standard Estate Administration – no Inheritance Tax payable: £3,000 to £6,500 plus VAT plus disbursements.
- Standard Estate Administration – Inheritance Tax payable: £5,000 to £25,000 plus VAT plus disbursements.
- We provide a parameter of our costs when significant estate information is known, for example £3,500 and £5,500 plus VAT plus disbursements.
- Bespoke administration (where we deal with the whole of the administration) from £6,500 – and in certain circumstances we will discuss with you additional costs relating to the value and size of the estate involved.

This is based on our hourly rates, the value and complexity of the estate and our experience of dealing with comparable matters. Our current hourly rates (subject to VAT) start from £280 (£230 for newly qualified solicitor with up to one year of post-qualification experience).

FACTORS THAT WILL INCREASE COSTS AND TIMESCALE

Typical factors include:

- Difficulty ascertaining the financial assets held by the deceased at the date of death and the need to instruct third parties, e.g. Unclaimed Assets Register.
- A change of taxation status of the estate during the administration, e.g. assets emerging that make the estate subject to the payment of Inheritance Tax, when previously it was believed that the estate was non-taxable.
- Protracted negotiations with HMRC are necessary to agree the amount of Inheritance Tax payable by the estate.
- Fosters acting for one executor or administrator and another firm acting for other(s), e.g. where executors or administrators do not agree.
- Difficulty locating beneficiaries.
- Difficulty in obtaining documents to prove available tax relief, resulting in us having to obtain duplicates, e.g. copies of Grant of Probate of first spouse to die, copies of marriage certificates.
- The need for post-death tax planning to mitigate the payment of Inheritance Tax by the family in the future.
- Instructions to prepare a Deed of Variation of the estate.
- Where a trust is created within the Will, e.g. for minor beneficiaries.
- Here a claim is made against the estate, or the executor or administrator is put on notice of a possible claim.
- When an unforeseen complexity arises or where the way in which a client asks us to proceed means additional work.

FACTORS THAT WILL DECREASE COSTS AND TIMESCALE

Typical factors include:

- Full details of the assets and liabilities of the estate are known at the point of instruction to us.
- Full details of the beneficiaries are known.
- Where the executors or administrators obtain the probate figures themselves and we deal with the application for the grant and the administration of the estate.
- Appointing a 'lead' executor or administrator to receive all correspondence and communication from us, avoiding the need to duplicate such work and therefore increase our time spent on the matter.
- Providing us with requested information promptly.
- Trusting us to update you at significant points in the administration eg when the Grant of Probate or Letters of Administration is issued.

DISBURSEMENTS

Disbursements are payments that we make to third parties on your behalf. To confirm, these are separate payments for which the estate is liable in addition to our costs.

Typical disbursements in probate matters are:

- Probate Court Fee in application for the Grant of Probate or Letters of Administration - £526.00**.
- Sealed Copies of the Grant – £16**.
- Trustee Act Notice – £200 to £400 plus VAT.
- Bankruptcy search fees – £6 plus VAT per beneficiary.

*Costs quoted apply only where (a) all assets held by the deceased are in the UK and (b) the matter is not contested in anyway. One example of a contested estate is where a claim has been made under the Inheritance (Provision for Family and Dependents) Act 1975.

****Only payable where a Grant of Probate or Grant of Letters of Administration is required to administer the estate of the deceased.**

We are always happy to discuss any initial questions you may have about your particular matter.

[Contact us to see how we can help ›](#)