**WILLS & PROBATE**

**WILLS SERVICE**

Our fees cover all the work required to take your instructions and provide you with advice on the preparation of a Will or Codicil. We will draft the document for your approval and provide you with a final version for signing. If you are able to attend at our office, we will act as witness to your signature when you execute the Will. If you have mobility issues and require a home visit, we are happy to assist you.

Our fees are:

1. A Single Will: £175 plus VAT
2. Mirror Wills: £250 plus VAT
3. Codicil: £100 plus VAT
4. Mirror Codicils: £150 plus VAT

Mirror Wills is a term used to describe a couple who make Wills that are substantially the same and therefore “mirror” each others. However, you are not required to do so and the above fees will still apply for joint instructions.

Codicils do not replace an existing Will but added or amend that document.

**PROBATE SERVICE**

We offer two levels of service in our Probate Department:

1. Level One – Grant Only: we will prepare and submit the application for a Grant of Probate/Letters of Administration to enable you to carry out the administration of the Estate.
2. Level Two – Full Administration: we will undertake the administration of the Estate from start to finish including obtaining valuations of assets and liabilities, prepare the necessary paperwork to obtain a Grant of Probate or Letters of Administration, prepare and submit an Inheritance Tax Return, CGT Return and/or Tax Return if necessary and finalise the Estate according to the terms of a Will or intestacy rules.

**Legal Fees**

Level One (Grant Only)

No IHT Return Required: £450 plus VAT

Inheritance Tax Return Required: £750 plus VAT

Full Administration

Lay Executors/Administrators Appointed: 2% of gross value of the Estate plus VAT

Professional Executors: 2-4% of gross value of the Estate plus VAT

This is based on non-contentious Estates.

For low value Estates we have a minimum fixed fee of £1,000 plus VAT.

**Disbursements**

Additional costs incurred will be those fees charged by external organisations for services provided.

Examples of disbursements are:

Court fee for Grant: £273 (from 26.02.2022)

Copy Grant: £1.50 per copy

Land Registry fees: £3 per copy Title document

Valuation of property: £120-£180 on average

Valuation of chattels: £180 on average

Auctioneers Sale fees: 10-20% of sale price commission

Property clearance: £150-600 approx

Property Cleaning: £180 approx

Garden maintenance/clearing: £500 approx

S27 Trustee Act Adverts: £350 on average

Bankruptcy Searches: £2 per person

Additional disbursements may be payable depending on the Estate and the fees quoted by be more or less depending on the provider, asset or property. Conveyancing costs of the sale of any property will be charged in addition to probate fees. Please see our Conveyancing section transparency page for details.

Please note that the above fees are estimates only and you should seek a bespoke quote, tailored to your individual matter. The above fees are based on no unforeseen matters, including (but not limited to) contentious cases, litigation issued by other parties or caveats entered that prevent the administration of an Estate proceeding and/or any issues arising relating to the financial affairs of the deceased.

**How Long will it Take?**

The Probate Registry is currently taking approximately 8-12 weeks to process applications for Grants. Grant Only instructions therefore take approximately 10-12 weeks from the date of instruction, depending on the time taken to provide us with the required information/documentation.

Full Administration Instructions take approximately 12-18 months to complete. The length of time is dependent on the extent of assets including property sales and whether an Inheritance Tax Return is required. HMRC recommend waiting six months from submission of the IHT Return before distribution of the Estate.

**Stages of the Process**

Grant Only Applications

* We take your instructions and write to you to confirm
* We provide you with a questionnaire and details of what information is required
* You provide us with all the information
* We prepare the paperwork required
* We meet with you to go through the paperwork and for you to sign it
* We submit the application for a Grant of Probate/Letters of Administration
* Once the Grant is issued, you will resume administering the Estate yourself

Full Administration Instructions

* We take your instructions and write to you to confirm
* You provide us with any documents and the original death certificates
* We contact all organisations relating to assets and liabilities and any utility providers, council tax, pension providers, employers, etc.
* We obtain values of all assets and all liabilities
* We prepare paperwork required for application for Grant of Probate/Letters of Administration
* We prepare Inheritance Tax Return if appropriate and arrange payment of tax if relevant
* We submit application for Grant
* We make contact with all beneficiaries named in the Will, or entitled under intestacy
* We liaise with you throughout process
* When Grant is issued, we submit adverts under s27 Trustee Act to protect you against future claims
* We gather in assets and pay out liabilities
* We arrange for the sale of property
* We put into effect the terms of the Will
* We prepare Estate Accounts for you to sign
* We pay out the residue of the Estate in accordance with the Will

**Links**

The HMRC Inheritance Tax Calculator may assist you in working out the tax liability of the Estate at [www.gov.uk/valuing-estate-of-someone-who-has-died/estimate-estate-value#use-the-online-inheritance-tax-checker](http://www.gov.uk/valuing-estate-of-someone-who-has-died/estimate-estate-value#use-the-online-inheritance-tax-checker)

You can also use the HMRC checker to estimate Capital Gains Tax on the sale of property [www.gov.uk/tax-sell-property/work-out-your-gain](http://www.gov.uk/tax-sell-property/work-out-your-gain). Other HMRC tax checker tools are available on the gov.uk website.

**LASTING POWERS OF ATTORNEY/DEPUTYSHIP ORDERS**

Our fees cover the work undertaken in the preparation and application for Lasting Powers of Attorney or Deputyship Orders.

**Lasting Powers of Attorney (LPAs)**

In this document, the “donor” appoints a person or people to act as attorneys on their behalf. They often appoint family members and we recommend more than one person is appointed as an attorney in case of illness or death. Substitute attorneys can be appointed if preferred.

The donor and attorneys all have to sign the document before it is sent to the Office of the Public Guardian for registration. The LPA can be registered straight away or it can be delayed until such time as it is required.

There are two types of LPA – one for Property & Financial Affairs and one for Health & Welfare. A Health & Welfare LPA can only be used by the attorney(s) if the donor has lost capacity.

Our fees

One LPA: £350 plus VAT

Two LPAs: £450 plus VAT

If a couple would like to prepare LPAs at the same time our fees would be:

One LPA each: £550 plus VAT

Two LPAs each: £650 plus VAT

The Office of the Public Guardian charge £82 per application. However, if you are on a low income or means tested benefits you may qualify for a reduction or exemption from fees.

The above fees are based on a simple case and where no-one has objected to the application being made.

**Deputyship Orders**

If someone no longer has sufficient mental capacity to provide instructions, sometimes decisions will need to be made regarding their welfare and their finances.

A Deputyship Order is an order made by the Court of Protection appointing a person to be their Deputy, with the scope of their powers set out in the Order. There are two kinds of Deputyship Order – one for Personal Welfare and one for Property & Finances.

Our fees

One Deputyship Order: £700 plus VAT

Two Deputyship Orders: £1,000 plus VAT

The Court of Protection charge £371 per application.

Disbursements

As part of the application, a medical report will be required from the donor’s medical professional. They are likely to charge a fee. This could be in the region of £150 but varies depending on the person or organisation.

Once a Property & Finances Order has been made, but before it is issued, a security Bond will be payable and is usually based on the value of the person’s assets. An annual supervision fee of either £35 or £320 will also be payable. This sum and the legal fees payable can be reimbursed from the person’s funds.

The above fees and disbursements are based on a non-contentious case where no person has objected to an application for a Deputyship Order and no court hearing has been listed.