

## Our Probate fees

**Sarah Louise Walker**  
National Team Manager Wills Trusts and Estates  
DDI: 0121 200 5751  
[sarah.walker@weightmans.com](mailto:sarah.walker@weightmans.com)

## Key Points

- We charge for all of our estate administration services on time spent at the hourly rates of the team members involved. We do not charged fixed percentages of the estate. What this means is that we can tailor our services specifically to the service you require and you only pay for the work which is actually carried out on your behalf.
- We use the same pricing model whether the executors are individuals or partners of this firm.

When an individual makes a Will, executors are appointed to administer their estate and ensure the estate passes to the beneficiaries of the Will. This is often an onerous process and many executors choose to use the services of professionals to assist them in meeting their obligations. Individuals often choose professionals to act as executors if they believe the task would be too much for their family to deal with. Below we have set out our guidance on how we charge for these services at Weightmans.

## Our fees

Our fees are calculated purely based on a time spent basis. Unlike some other firms who charge a fixed percentage which includes an 'uplifted amount' known as the value element, we charge on a time basis at the hourly rates agreed with you at the beginning of the matter. In other words you only pay for the work which is actually done on your behalf or on behalf of the estate.

Our hourly rates for the members of the Wills, Trusts and Estates team who would carry out this work are as follows:

	Regions	London
Partner	£325	£425
Principal Associate	£285	£385
Associate	£260	£360
Solicitor under 5 years post qualification experience	£210	£280
Trainee	£170	£175
Paralegal/Legal Executive	£140	£165

Our rates are reviewed annually and any changes notified to clients. In addition to the rates above, VAT is charged at the rate applicable, currently 20%

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In order to provide a cost and time efficient service, the majority of the routine work on estates is carried out by paralegals and junior solicitors and is supervised by more senior colleagues – either a Partner or Principal Associate. Most of our team members are fully qualified members of the Society of Trust and Estate Practitioners and/or Solicitors for the Elderly. This team approach to our estate administration work ensures you will always be able to contact someone about your matter.

Once you know who will be in the team allocated to your file, you will be able to find out more information about the team by visiting the [WTE](#) section on our website. We are a nationwide team and our key contacts are:

<a href="#">Richard Bate</a>	Manchester/London	0161 214 0501	<a href="mailto:richard.bate@weightmans.com">richard.bate@weightmans.com</a>
<a href="#">Sarah Louise Walker</a>	Birmingham/London	0121 200 5751	<a href="mailto:sarah.walker@weightmans.com">sarah.walker@weightmans.com</a>
<a href="#">John-Paul Dennis</a>	Liverpool	0151 243 9534	<a href="mailto:john-paul.dennis@weightmans.com">john-paul.dennis@weightmans.com</a>
<a href="#">Sally Cook</a>	Manchester/Leeds	0161 214 0597	<a href="mailto:sally.cook@weightmans.com">sally.cook@weightmans.com</a>

## Key stages and scope of work covered

The key stages of the work involved in administering an estate are as follows:

- Valuing the assets and liabilities in the estate;
- Completion of the relevant inheritance and income tax forms and payment of tax;
- Completion of the Probate Registry forms/required affidavits/statements of truth to apply for a Grant of Representation;
- Obtaining the Grant of Representation;
- Collecting in the assets of the estate;
- Settling any debts and liabilities of the estate;
- Preparation of estate accounts; and
- Distribution of the assets.

The average timescales involved are as follows:

- From initial instruction to receipt of the Grant of Representation: 3–6 months
- Collecting and distributing the assets: 3–6 months

Total timescale therefore is normally 6– 12 months for the whole process. There are a number of factors which affect both overall cost and timescale for the administration of the estate. Below are the most typical of these:

- Whether or not inheritance tax is payable;
- The nature and number of assets comprised in the estate;
- Whether all beneficiaries are easy to trace;
- If there is a property in the estate and if so how long it takes to obtain a sale of this property;
- Whether complicating factors arise (see below for more detail on these).

It is therefore difficult for us to give an accurate estimate of the costs involved and the timescale without an initial face to face or telephone meeting where we can take more detailed information from you. Unlike many of our competitors, Weightmans offer the first meeting on a no obligation basis. If you decide to instruct us then the cost of that meeting is then factored into the overall cost estimate.

We are able to give some broad guidance on estate costs, where all of the deceased's assets are located entirely within the UK, and no disagreement has arisen, or will arise, between any potential recipients of assets of the estate. Please note the costs for the sale of a property are additional to the costs quoted below

Very simple UK estate	Valid Will, less than 5 beneficiaries, Less than £150,000 consisting of a residential property and less than 5 bank accounts	£3,000 – £5,000 plus VAT and disbursements
Simple UK estate	Over £150,000 – £1 million and no inheritance tax to pay, few beneficiaries, small number of UK assets including one residential property	£5,000 – £15,000 plus VAT and disbursements
Complex	Inheritance tax liability , may contain business assets with estate worth over £325,000, wide variety of assets and one or more properties, number of legacies, may require claims for reliefs to be made and other reporting requirements.	£10,000 – £45,000 plus VAT and disbursements
Highly complex estate	As in complex estate but with foreign assets and/or beneficiaries or UK estate of non domiciled individual.	£15,000 – £75,000 plus VAT and disbursements

## Additional factors which will affect the fees involved

There are a number of issues or additional pieces of work which can arise during or out of estate administration which will incur additional costs and mean the timescale for completion will be affected. If any of these points arise during the course of the matter, we will contact you and agree a costs estimate and give a likely timescale to deal with the issues:

- Investigation into the estate by the Department of Work and Pensions. This is automatic where a deceased person has been in receipt of Pension Credit or any means tested benefit prior to their death;
- Missing beneficiaries;
- Missing assets;
- Problems with overseas assets;
- Complex assets such as publishing or intellectual property rights;
- Disagreements between executors and/or beneficiaries;
- Claims brought against the estate;
- Claims pursued on behalf of the estate to recover assets;
- Complex tax issues;
- Variations or alterations to the terms of the Will, intestacy or any trusts arising under the Will;
- Establishment and administration of an ongoing Will trust;
- Additional tax planning advice for beneficiaries of the estate.

## Disbursements

You may have to pay certain expenses, taxes and other costs. To the extent that such costs relate to amounts that we must pay to third parties, they are known as “disbursements”. The costs and expenses most likely to arise are as follows:

- Probate Court Fee – £155
- Additional copies of the probate for each asset holder – 50p each
- Land Registry search – £3
- Missing asset search – £155 +VAT
- Legal notices to creditors – est £200 + VAT
- Bankruptcy searches – £2 per name searched

## How we collect our fees

When we are instructed in the administration of the estate, we send detailed client engagement letters to the executors of the estate for agreement. Where the executors of the estate are partners in Weightmans, we send these engagement letters to the residuary beneficiaries of the estate.

Our first invoice is not submitted until we make the application for the Grant of Representation. After that the file will normally be invoiced monthly and a costs update provided with each invoice. These invoices are then settled from the estate assets as we collect them in.

This process means that you do not need to worry about funding our costs upfront and enables executors to easily monitor the costs being incurred. If the facts of the file mean that we are not able to proceed on the basis of the above this will be agreed with you at the outset and detailed in our engagement letter.