

Applying for Grant of Probate / Administration

Introduction

The process of proving in Court that a deceased person's Will is valid (usually a formality), identifying and collecting in the deceased person's property and settling any liabilities before dispersing the residual assets is often referred to as Probate or Estate Administration.

Proving the Will in Court requires the Executor(s) to Swear an Oath and to submit various documents to the Court, including a certified copy of the original Will. This process is referred to as applying for a Grant of Probate. This document allows the ownership of the deceased's property to subsequently be dealt with by the Executors under the terms of the Will.

We do not offer a fixed fee for Probate as all work is carried out on a time recorded basis using an hourly rate with letters, emails and phone calls charged on a per item basis. We do not charge as a % of the Gross or Net Value of the Estate.

Applying for Grant of Probate / Administration

We will provide a cost for simply completing the application on request, allowing the Executor(s) to collect in and disperse the deceased person's assets themselves. Consequently, this will usually be at a lower cost to us completing the full Probate or Administration work reflecting there is less work for us to complete.

As an example, for estates where:

- There is a valid Will
- There is no more than one property
- There are no more than two bank or building society accounts
- There are no other tangible assets
- There are two beneficiaries
- There are no disputes between the beneficiaries on the division of assets (if disputes arise this will lead to an increase in costs)
- There is no inheritance tax payable and the executors do not need to submit a full account to HMRC
- There are no claims against the estate

A typical Grant of Probate / Administration Application will usually take **between 2 and 4 hours** of work charged at £200 per hour for a straightforward estate as highlighted above. Total costs, including normal correspondence associated with this example, for preparing and submitting an application for the Grant will therefore usually be in the range of £550 to £800.00, plus VAT and disbursements,* currently:

- Probate application fee £158.00 which includes two official copies of the Grant

Other disbursements* may also be payable, for example:

- Bankruptcy and Land charges department searches (£10.00 per beneficiary) – (we are legally required to undertake a bankruptcy search prior to beginning work and immediately prior to distribution of the residual Estate)
- Post in the London Gazette (protects against unexpected claims from unknown creditors and Post in a Local Newspaper (this also helps to protect against unexpected claims (a quote for the cost of this would have to be obtained)

*Disbursements are costs related to your matter that are payable to third parties, such as Court fees. We handle the payment of disbursements on your behalf to ensure a smoother process.

As we will not be handling the subsequent Estate Administration and therefore not have control over the estate, we will normally ask you to discharge our costs and disbursements plus VAT prior to submitting the application to the Probate Court.

Applying for Grant of Probate / Administration (as above) collecting in the assets & distributing

On average we anticipate it usually takes between **6 and 9 hours** of work charged at £200 per hour. Total costs, including normal correspondence associated with this type of estate, will therefore usually be in the range of £1200 to £1800.00 for a straightforward estate as highlighted above. Costs are usually deducted from the estate as the administration proceeds.

To the above must be added the Disbursement and other disbursement costs highlighted in the above example, namely:

- Probate application fee £158.00 which includes two official copies of the Grant, and
- Bankruptcy and Land charges department searches (£10.00 per beneficiary) and / or Post in the London Gazette, for which a quote would be obtained.

The exact costs in both of the above examples will depend on the individual circumstances of the matter. For example, if there is one beneficiary (e.g. a surviving husband or wife) and no property involved, costs will be at the lower range. If there are multiple beneficiaries, a property and bank accounts to deal with costs will increase.

Other potential costs that could increase the overall cost:

- If there is no Will, or the estate consists of any share holdings (stock market investments / bonds) or where inheritance tax is payable there will be additional costs that could range significantly depending on the size of the estate and how it is to be dealt with. We can give you a more accurate quote once we have more information.
- If any additional copies of the Grant are required, they will cost a further £0.50p each.
- Costs in respect of the sale or transfer of property in the estate are not included.
- Any dispute arising between beneficiaries or a claim against the deceased's estate.

How long will this take?

On average estates that fall within this range can be dealt with between 3 to 9 months (dependent on whether there is a property to sell). Typically obtaining the Grant of Probate takes 6 to 8 weeks. Collating the assets then follows, which can take between 3 to 4 weeks. Once this has been done, we can distribute the assets which normally takes 10 to 14 days.

The time taken to conclude the estate can depend greatly on how quickly other institutions respond, and how quick the executors/personal representatives can provide us with all the initial information we require to proceed with the application for the Grant of Probate. It is possible in some cases to progress and conclude matters within 3 months. In some cases there is a possibility a claim may be made against the estate, in those circumstances the estate would not be distributed until six months has elapsed from the date of the Grant.