



Transparency in pricing

Probate (uncontested)

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Birkett Long LLP is committed to providing clarity in its pricing and service in accordance with the SRA Transparency Rules.

Probate (uncontested):

The details below provide you with our fee structures and ranges, should you decide to instruct us to act for you in obtaining probate and in the administration of estates, whereby any such matters are uncontested.

Hourly Rate / Fixed Fee:

The work we undertake for and on your behalf will be charged at an hourly rate (determined by the level of the particular fee earner undertaking the work) unless we alternatively agree a fixed fee with you. The seniority of the member(s) of staff dealing with your case will depend on its complexity. We will discuss this with you when you instruct us. **The hourly rates applied for work undertaken in relation to uncontested probate matters currently ranges from between £155 plus VAT and £380 plus VAT (totalling between £186 and £456 per hour) and disbursements.**

Set out below are details of our range of costs that usually apply in obtaining probate and in the administration of estates. Please note that these are based on our rates and the amount of time, in our experience, that is usually required to conduct the matter and achieve the best possible outcome for our clients. At the outset of our engagement, we will seek to assess the overall position and what specific steps we are required to undertake in order to provide you with a bespoke and accurate fee estimate.

We appreciate that clients often like to know the precise costs they will incur, and we try to be as flexible as possible with any fee arrangements where we can, having regard to each stage and the complexities involved. Therefore, we will discuss with you whether or not your specific case is suitable for a fixed fee to be applied and define the terms of any such agreement made in writing to you.

Please note, if you are offered a fixed fee then you are not obliged to accept such fee arrangement and can still request you are charged at our hourly rates.

Summary Table:

On choosing either a fixed fee or hourly rate, our likely costs for administering an estate (unless the estate is more complex, or we have agreed differently with you) are set out below:

Case Type	Range of Fees (excluding VAT & disbursements)	Total (inclusive of VAT)
Initial Fixed Fee Consultation	£300	£360
Simple Case		
Excepted Estate (no foreign assets or beneficiaries to be traced)	£1,000 - £5,000	£1,200 - £6,000
Excepted Estate (one or more foreign assets or beneficiaries to be traced)	£2,000- £6,000	£2,400 - £7,200
Medium Complexity	Table contents	Table contents
Non-Excepted Estate and IHT is payable (no foreign assets or beneficiaries to be traced) and the estate is less than £1m in value	£6,000 - £10,000	£7,200 - £12,000
Non-Excepted Estate and IHT is payable (foreign assets or beneficiaries to be traced) and the estate is less than £1m in value	£8,000 - £15,000	£9,600 - £18,000
High Complexity		
Non-Excepted Estate. For example, where there are multiple assets, beneficiaries and or business interests	£15,000 or more	£18,000 or more

Initial Fixed Fee Consultation:

We are not able to provide any advice without charge. However, we offer an initial consultation package to new clients at a **fixed fee in the sum of £300 plus VAT (totalling £360)**. This will enable a specialist probate lawyer to spend up to 60 minutes with you during a scheduled meeting at our office (Colchester, Chelmsford, Basildon, or London), by telephone, video meeting, or email.

If you wish to proceed, then we request full payment in the total sum of £360 to be made prior to commencement of the initial consultation. We can accept payment by electronic transfer, credit/ debit card, or cash. Follow up written advice will not be included unless otherwise agreed.

Factors that could make an administration more complex:

1. Whether or not the deceased left a valid will—if not, are all the potential beneficiaries under the rules of Intestacy and their whereabouts known?
2. The number, nature, complexity, and location of the estate assets and liabilities, for example,
 - a. Realty in the UK
 - b. Realty situated abroad
 - c. Any other foreign assets
 - d. Stock and shares
 - e. The number of bank and Building Society accounts
 - f. Pensions
 - g. Debts
 - h. Trusts
 - i. Business assets; and
 - j. Agricultural assets
3. The number of beneficiaries, and if any might need to be traced
4. Whether or not the estate qualifies as an 'excepted estate' or if a full HM Revenue & Customs Account is required
5. Whether or not the estate is taxable, and if so, how the initial tax payment will be raised
6. Whether or not there is income tax and/or administration income tax and/or capital gains

Disbursements:

Disbursements are costs related to your matter that are payable to third parties, such as Court Fees. We require advance payment of all disbursements and will then make payment of the disbursement on your behalf to ensure a smoother process. In all estates there are disbursements which may be payable, including:

1. Valuation fees plus VAT (for example, property or personal possession valuations)
2. Probate application fee (approximately £273) plus £1.50 per sealed copy of the Grant
3. HM Land Registry searches (approximately £3 plus VAT for downloaded title)
4. Bankruptcy searches (£2 plus VAT per beneficiary)
5. Post in The London Gazette and local papers – this protects against unexpected claims from unknown creditors, if requested by you (usually up to £300 plus of VAT).

A more accurate idea of these additional disbursements can be provided once further details of the estate are known.

Key Stages involved in the administration of an estate:

The above range of costs (unless we have agreed differently with you) includes our assistance with the following:

1. Assessing the validity of testamentary documents
2. Identifying the legally appointed executors or administrators and beneficiaries
3. Accurately identifying the type of Grant you will require
4. Obtaining the relevant documents required to make the application for the Grant including date of death details of assets and debts
5. Assessing whether the estate is subject to Inheritance Tax
6. Completing the application and the relevant HMRC forms
7. Making the application to the Probate Registry
8. Obtaining the Grant
9. Collecting all assets in the estate including selling property (conveyancing fees and disbursements charged separately)
10. Arranging payment of any debts
11. Arranging payment of any legacies
12. Dealing with any income or administration tax
13. Preparing estate accounts
14. Arranging payment of the final distributions to the residuary beneficiaries.

Potential Additional Costs:

If there is no Will, or the estate consists of any share holdings (stocks and bonds), there are likely to be additional costs that could range significantly depending on the estate and how it is to be dealt with. We can give you a more accurate quote once we have more information.

Dealing with the sale or transfer of any property in the estate is not included.

We can advise on Deeds of Variation to the deceased's estate in certain situations. This will incur a separate charge.

How long will my administration take?

This depends on a number of factors, but on average, a straightforward estate with no property takes around 6 - 12 months. If a straightforward estate has property, the timescale will likely extend to between 12 -18 months. In highly complex estates, that matter could take longer.

Our Team:

Our team of specialist probate solicitors have years of experience in dealing with probate matters. Our 5 Partners head up a team of a further 11 probate lawyers, 3 paralegals, and 9 assistants.

You will be allocated a dedicated probate lawyer. Regardless of who works on your matter, they will be supervised by one of our Wills, Trusts & Probate Team Leaders (Ben Parmenter and Emma Clarke) and the Agriculture & Estates Team Leader (Caroline Dowding), who are in turn supervised by the Head of the Private Client Department and Head of Real Estate Department (Claire Read and Mel Bache, respectively). You can view their respective profiles on our website, www.birkettlong.co.uk, which includes details of when they qualified and their areas of expertise.