

There is a very wide range of probate fees, even in our small firm. They can range from as little as £100 plus VAT for a 30-minute consultation, through to £100,000 plus VAT, for acting as the executor in an estate dealing with multiple assets worth £5,000,000 in several jurisdictions and 30 beneficiaries, taking four to five years to conclude. Essentially, the firm's costs are a combination of the time taken to do the work, the degree of complexity and an appreciation of the risks that may be involved. Hence, relatively simple matters may be charged on a time-only basis, more complex matters (where we are not the executors) may have some small percentage uplift to reflect the value of the estate, and matters where we are the appointed executors under the will would normally be charged at 2% of the gross estate plus VAT.

Due to the number of issues that need to be taken into consideration, it is very difficult to provide an accurate quote for our services on the telephone or even by an exchange of emails. It is by far preferable to have an initial consultation where, between us and the client, we have an in-depth discussion during which we ascertain, as far as we can, the various assets comprising the estate, the beneficiaries and their location, whether there are any matters which may complicate things, the potential tax position, and whether there would appear to be sufficient funds to make the initial IHT payment that may be required (if any). We also try to ascertain at this stage the extent to which the client and his or her family wish to be involved. Not every case is the same in this respect; sometimes the clients only wish us to obtain the grant of probate for them and they wish to deal from there, and sometimes, the executors come to us already with a detailed list of the assets including date-of-death values of many of the assets (often if, for example, they had been a financial attorney for the deceased during the deceased's lifetime, and so already had a full knowledge of the financial circumstances). At the end of any case in which we have acted in the administration of the estate (as opposed to simply applying for the grant of probate), a detailed set of accounts will be delivered and subject to agreement the final payment will be made to the beneficiaries accordingly.

Our principal solicitor, Mr. John Adams' hourly charging rate is £240 excl. VAT, whereas our assistant solicitor, Mr. Alexander Ong's hourly charging rate is £200 excl. VAT. All probate matters are supervised by Mr. Adams, although the majority of the work is carried out by Mr. Ong. By way of example only:

1. To establish whether a grant of probate is required, and if so, to take initial instructions, an initial half-hour consultation will be chargeable at £100 excl. VAT, which shall be incorporated in our total costs if the matter does proceed.
2. To obtain a grant of probate only in a relatively simple estate is likely to take between 6-10 hours of chargeable work, i.e. £1,200-£2,000 excl. VAT.
3. To obtain a grant of probate and administer a simple estate, say where the assets are less than the IHT limits, probably no freehold or leasehold property, and there are no more than two residuary beneficiaries, and no outstanding HMRC issues, we would estimate 12 to 18 hours, i.e. £2,400 to £3,600 excl. VAT.
4. To obtain a grant of probate and act for the executors in the administration of the estate, where the estate is worth less than £1,000,000 but there are one or more properties, the amount of chargeable work involved will typically fall within the range of 25-40 hours, i.e. £5,000-£8000 excl. VAT.
5. If we are instructed to act in a substantially larger estate, say £3,000,000, the matter will undoubtedly be complicated by income tax returns and the registration of the estate under HMRC rules, and our general guidance in this kind of case would be to allow about between 1.5% and 1.75 % of the gross estate to cover the total of this firm's costs and also the various disbursements payable to others including accountants' fees and probate court fees, but not including any taxes due or estate agents' costs of sale.

6. If we are appointed as executors in relation to any estate, such appointment brings additional responsibilities and duties, in which cases our costs are chargeable on a fixed percentage basis, usually 2% excl. VAT of the gross estate, so that in an estate with a value of £800,000 this would be £16,000 plus VAT. In these cases, this percentage fee includes our conveyancing fees on the sale of any property in the estate in the jurisdiction of England and Wales.
7. The typical disbursements payable to third parties in most probate cases are as follows:
 - a. AML (Anti Money Laundering) searches (electronic ID checks) of £4.80 per individual;
 - b. HM Land Registry document fees of £3 plus VAT per document;
 - c. Probate court fees of approx. £175 per application including official copies of the grant;
 - d. Property valuation fees by preferred agent £75;
 - e. Will search fees of £136.80;
 - f. Statutory notices of approx. £200;
 - g. Accountants' fees if their assistance is required in connection with any income tax returns that need to be filed for either the period before the death or during the course of the administration. Depending on the size and complexity of the estate, these are very variable ranging from £100 or so to several thousand pounds for complex estates.'

For more information, please contact john.adams@adamsdelmar.co.uk or alex.ong@adamsdelmar.co.uk