



Lyndales Probate Guidance

Our fees are based on guidance from the Law Society following the Court of Appeal decision in *Jemma Trust Company Ltd v. Liptrott* [2003] EWCA Civ 1476

Applying for the grant, collecting and distributing the assets

Our fees are in two parts:

(a) The time we spend working on your case which is calculated at an hourly rate, and (b) A percentage of the value of the gross estate

Hourly Rate:

We anticipate this will take between 12 and 15 hours of work at £275 or £350 per hour plus VAT, depending on the seniority and experience of the solicitor working on the case. Total cost estimated at £3,300 - £4,125 plus VAT (calculated at the lower rate of £275 per hour) and £4,200- £5,250 plus VAT (calculated at the higher rate of £350 per hour)

The extra cost will depend on the individual circumstances of the matter. For example, if there is one beneficiary and no property, costs will be at the lower end of the ranges. If there are multiple beneficiaries, a property and multiple bank accounts, costs will be at the higher end.

Percentage Fee:

In addition, we reserve the right to charge a percentage fee based on the:

(a) value of the deceased's residence (b) value of the rest of the estate

Lyndales Solicitors not acting as Executor

Lyndales Solicitors acting as sole executor or joint executor with another

Value of Deceased's Residence

Up to 0.5% Up to 0.75%

Value of the rest of the estate

Up to 1% Up to 1.5%

We will handle the whole process for you. This quote is for estates where:

- There is a valid Will
- There is not more than one property

- There are no more than 2 bank or building society accounts
- There are no other intangible assets
- There are 3 to 4 beneficiaries
- There are no disputes between beneficiaries on division of assets. If disputes arise this is likely to 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 made against the estate.

Disbursements not included in the fees are:

- Probate application fee of £155
- £5 Swearing of the oath (per executor)
- Bankruptcy-only Land Charges Department searches (£2 per beneficiary)
- Post in The London Gazette for £74.58 – Protects against unexpected claims from unknown creditors
- Post in a Local Newspaper for £100 to £240 – This also helps to protect against unexpected claims.

Disbursements are costs related to your matter that are payable to third parties, such as court fees.

We handle the payment of the disbursements on your behalf to ensure a smoother process.

Potential additional costs

- If there is no will or the estate consists of any share holdings (stocks and bonds) there is 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.
- If full tax return needs to be submitted to HMRC, this will be charged at our hourly rate and depends on the number of forms which needs to be submitted.
- If any additional copies of the grant are required, they will cost 50p each (1 per asset usually).
- Dealing with the sale or transfer of any property in the estate is not included.

As part of the service we will:

- Provide you with a dedicated and experienced probate solicitor to work on your matter
- Identify the legally appointed executors or administrators and beneficiaries
- Accurately identify the type of Probate application you will require
- Obtain the relevant documents required to make the application
- Complete the Probate Application and the IHT205 tax return
- Draft a legal oath for you to swear
- Make the application to the Probate Court on your behalf
- Obtain the Probate and securely send two copies to you
- Collect and distribute all assets in the estate

How long will this take?

On average, estates that fall within this range are usually dealt with within 3 to 6 months. Typically, for obtaining the information and preparing the papers takes 4 to 8 weeks. Obtaining the grant of probate takes 3 to 4 weeks once the application is submitted to the Probate Registry. Collecting assets then follows, which can take between 4 to 8 weeks. Once this has been done, we can distribute the assets, which normally takes 2 to 4 weeks.

Fixed Fee

Once we are fully aware of the extent and complexity of the estate and the work involved we can offer a fixed fee for all the above work.