

# Rushford & McCarville

S O L I C I T O R S

## Legal costs

The information in this document relates to Probate within the jurisdiction of England and Wales and which is uncontested, and where all assets are within England and Wales.

There are two main elements to the legal costs of Probate, which is the process of administering the affairs of a deceased person:

- our charges;
- expenses we may pay out of your behalf

## Our charges

Our hourly rates for this service depend on the experience and seniority of the solicitor with conduct of the transaction.

### Our hourly rates are: -

For Mr. James McCarville     Partner                     £275 plus VAT

For Mr. Brent Hill             Consultant Solicitor     £295 plus VAT

Our costs range from £800 plus VAT to a few thousand pounds or more depending on the circumstances of each case, such as:

- Whether there is a valid original Will;
- Who the executors and trustees in the Will are. If we are the executors and trustees, we shall be responsible for all tasks relating to the Probate, which can be a daily or weekly undertaking. This increases costs.
- The value and nature of the assets and the requirements pertaining to their distribution in accordance with the wishes of the person that has died;
- Whether assets are owned jointly with other people and the legal nature of that joint ownership.
- Whether the value of the assets exceeds the value of any debts and liabilities and therefore whether the estate of the person who has died is solvent;
- Where the beneficiaries live. Beneficiaries living abroad present a complication in verifying their identity and account details for receipt of cash assets.
- Any post death arrangements that are required.
- The complexity of the estate for tax purposes.

Our charges are likely to be at the lower end of this range, if there, for example there is a valid will, the assets comprise a jointly owned property and a few jointly or solely owned bank accounts, all of which passes either to the surviving joint owner or a handful or people closely connected to the person who has died.

We reserve the right to increase the hourly rates if the work done is particularly complex or urgent, or the nature of your instructions require us to work outside normal office hours. If this happens, we will agree an appropriate rate.

We will review our hourly rates on a periodic basis. We will give you advance notice of any change to our hourly rates.

Our charges do not include VAT, which we will add to your bill at the prevailing rate.

#### Expenses

We would usually expect to incur certain expenses your behalf which we will also add to your bill, or more likely, we shall ask you to make a payment on account of those costs. Such costs can include

Expense	Estimated amount	VAT chargeable
Trustee Act Notices regarding unknown creditors	Varies depending on location of death. Usually does not exceed £200.00	Yes
Court Fee – For Grant of Probate	£155 plus £1.50p per additional copy of the Grant	No

We cannot give an exact figure for expenses we will incur on your behalf, as this depends on the nature of the estate.

#### A typical matter

A typical probate matter includes the following services: -

- Obtaining the will and evidence of death
- Obtaining and reviewing the deceased papers, usually collected from their home, to determine what assets and liabilities exist.
- Obtaining date or death valuations for assets and debts, including funeral expenses, in order to complete the inheritance tax return and oath for the personal representatives;
- Preparing the Inheritance Tax Return and Oath

- Applying for the Grant of Representation
- If required, following receipt of the Grant, collecting in the assets and settling debts. We may be required to sell a property, but that is charged separately as a conveyancing matter. Please see our separate guidance on this.
- Preparing estate accounts;
- Distributing the estate in accordance with the Will.

#### Likely timescale and key stages

Where possible, we aim to have applied for and received the grant within 8 weeks of our instructions and finalised the estate within 12 to 16 weeks after instructed. If there is a property to sell, this may take much longer. If any complications of this or any other nature arise the matter will take a longer.

#### Our expertise

Our team has over 50 years of collective experience in delivering high-quality work in all matters relating to probate and estate administration.

For details of the members of the team who may work on your matter, please see visit our website [rmlp.co.uk](http://rmlp.co.uk)

#### Solicitors Regulation Authority (SRA)

The SRA can help you if you are concerned about our behaviour. This could be for things like dishonesty, taking or losing your money or treating you unfairly because of your age, a disability or other characteristic.

You can raise your concerns with the [Solicitors Regulation Authority](https://www.sra.org.uk/).

#### Regulatory information

Rushford & McCarville LLP is authorised and regulated by the Solicitors Regulation Authority (SRA). Our SRA registration number is 623726.