

PROBATE / ESTATE ADMINISTRATION

We understand that the death of a family member or friend is a difficult event and that dealing with the administration of their Estate can be a daunting experience. At EMW our focus is on providing our clients with an exceptionally high level of personal service at all times. Our probate and estate administration service is delivered by an experienced team of dedicated private client solicitors who specialise in handling the administration of complex and high value Estates. Our solicitors have the breadth of knowledge and experience to administer even the most challenging of Estates.

Our charges are calculated by reference to the time spent in dealing with the matter and will vary according to the amount of work involved. Our principal led team consists of 5 members and due to the composition of the team we can ensure that work is always undertaken by a member(s) with the appropriate level of seniority.

What is included in Administering an Estate

- Initial meeting with you to understand how the estate is made up, gather information about the assets and debts. We will explain your responsibilities as the executor or personal representative.
- Stage 1 – Value the Estate
- Stage 2 – Preparing the application for the grant
- Stage 3 – Grant of Probate/Letters of Administration
- Stage 4 – Registering the Grant
- Stage 5 – Paying the liabilities
- Stage 6 – Distributing the money in the Estate in accordance with the Will
- Stage 7 – Final Accounts

Illustration of average cost

It's very difficult to give a general idea of fees for the full administration of an Estate because there are so many different scenarios and complexities that could be present. Our charges are calculated on the amount of time we anticipate we will spend on the matter.

Below are illustrations of the average costs for the full administration of a straightforward estate, a medium estate and a complex estate, taking into account a number of assumptions, showing a comparison between an estimate of fees (charged at hourly rates) and a fixed fee arrangement. Details of assumptions associated with each Estate type are set out below.

Hourly rates vary depending on seniority and location from £294 to £588 (inclusive of VAT, which is currently charged at 20%).

	Estimate of Total Time Spent (Hours)	Estimate of Fees (Based on a blended hourly rate £396, inclusive of VAT @ 20%)	Fixed Fee Arrangement (inclusive of VAT @ 20%)
Straightforward Estate (Full Administration)	14 to 28	Range from £5,550 to £11,100	Range from £6,660 to £13,320
Medium Estate (Full Administration)	30 to 50	Range from £18,800 to £19,800	Range from £14,160 to £23,760
Complex Estate (Full Administration)	Minimum of 70	At least £27,700, but may be significantly higher*	£33,200 for the work detailed in this illustration

*If the work you need us to do for you does not fit into the normal range of service we have set out in this illustration, please speak to us and we will be happy to give you a full detailed scope of fees.

Estimate of how long it usually takes

	What to expect on timescale
Straightforward Estate (Full Administration)	<p>On average, Estates that fall within this range are dealt with within 5-10 months but this can vary widely (including for reasons outside of our control) and is dependent upon all information being provided. As a rough estimate:</p> <ul style="list-style-type: none">• obtaining the Grant can take 8-12 weeks• collecting assets can then take 4-12 weeks• once this has been done, the assets can sometimes be distributed within 4-8 weeks once any liabilities have been settled. Depending on the circumstances however, it may be advisable to wait for up to 6 months the date the Grant is issued before distributing the Estate (to avoid claims against the Estate). We will advise on this more specifically.
Medium Estate (Full Administration)	<p>On average, Estates that fall within this range are dealt with within 10-18 months but this can vary widely (including for reasons outside of our control) and is dependent upon all information being provided. As a rough estimate:</p> <ul style="list-style-type: none">• obtaining the Grant can take 18-24 weeks• collecting assets can then take 8-12 weeks• once this has been done, the assets can sometimes be distributed within 8-12 weeks once any liabilities have been settled. Depending on the circumstances however, it may be advisable to wait for up to 6 months the date the Grant is issued before distributing the Estate (to avoid claims against the Estate). We will advise on this more specifically.
Complex Estate (Full Administration)	<p>Estates that fall within this range usually take at least 18 months to administer.</p> <p>We can provide a more detailed timescale when we understand your</p>

Assumptions and Exclusions

At the beginning of the administration of an Estate it can be difficult to understand whether the Estate is likely to give rise to an Inheritance Tax liability. We have included [a link to an Inheritance Tax Calculator](#) which may be helpful.

Below are examples of assumptions and exclusions for illustrative purposes.

Straightforward Estate (Full Administration)

- There is a professionally drawn and valid UK Will.
- The gross value of the estate does not exceed £325,000.00 or the gross value of the estate does not exceed £1,000,000.00 and the estate is entirely exempt from Inheritance Tax.
- The Will does not contain any ongoing trusts.
- There is no Inheritance Tax due on the estate.
- There are no more than 2 UK resident executors.
- EMW Law LLP nor any of the firm's partners or subsidiary undertakings act as executors.
- There are no more than 3 UK resident beneficiaries.
- The estate is solvent.
- There are no foreign assets.
- The estate includes no more than 1 UK freehold residential property.
- There are no more than 4 bank/building society accounts.
- There are no investments or shareholdings.
- There are no claims against the estate, disputes or contentious matters.
- There are no liabilities or creditors other than funeral expenses.
- Trust and Estate Tax Returns are not required and we are not required to complete a lifetime tax return.
- The deceased was UK domiciled.
- The estate does not include any intangible, digital or crypto assets.
- The matter is not urgent.

Medium Estate (Full Administration)

- There is either a professionally drawn and valid UK Will or an Intestacy.
- The gross value of the estate does not exceed £2,500,000.00.
- The value of any chattels does not exceed £50,000.00.
- There are no more than 3 UK resident executors/administrators.
- EMW Law LLP, the firm's partners or subsidiary undertakings may act as executors.
- The deceased was UK domiciled.
- There are no more than 6 UK resident beneficiaries including those receiving gifts and legacies.
- There are no unknown or missing beneficiaries.
- The Will or Intestacy does not contain or create any ongoing trusts.
- The deceased was not the beneficiary of any trusts.
- The estate may give rise to an Inheritance Tax liability but there is no HMRC compliance investigation or queries raised by HMRC regarding any of the information or valuations submitted.
- There are no foreign assets.
- The value of any lifetime gifts made by the deceased in the 7 years prior to their death do not exceed £325,000.00.
- The estate does not contain more than 2 UK residential properties and there are no commercial properties.
- There are no more than 6 bank/building society accounts.
- The estate does include investments but there are no more than 3 investment accounts and no more than 5 individual, listed shareholdings.
- The estate is solvent.
- There are no claims against the estate, disputes or contentious matters.
- There is no claim to be made in relation to Business Property Relief or Agricultural Property Relief.
- There are no heritage assets.
- Estate accounts are required.
- Any Trust and Estate Tax Returns are prepared by a third party.
- The matter is not urgent.

Complex Estate (Full Administration)

When dealing with the administration of a complex estate it is particularly difficult to provide a list of assumptions and exclusions. Below is a non-exhaustive list of factors likely to make an estate complex and in providing our estimate above.

We have assumed that at least 3 are present:

- There are either 4 UK resident executors/administrators or there are less than 4 but at least 1 of them is non-UK resident.
- The gross value of the estate exceeds £2,500,000.00.
- The estate includes chattels valued at in excess of £50,000.00
- The Will is not professionally drawn.
- The Will cannot be located.
- There are more than 6 beneficiaries of the estate including those receiving gifts and legacies.
- There are unknown or missing beneficiaries.
- There are beneficiaries who are non-UK resident.
- The deceased was non-UK domiciled.
- The estate is subject to a HMRC compliance investigation or the deceased was the subject of an ongoing investigation at the time of their death.
- The information and/or valuations submitted to HMRC are questioned.
- The estate includes a claim for Business Property Relief and/or Agricultural Property relief.
- The estate includes heritage assets.
- The estate includes foreign assets.
- The estate includes commercial property.
- The deceased was a business owner.
- There are outstanding matters the deceased was involved in at the time of death such as a property sale or litigation.
- The estate includes 3 or more UK residential properties.
- There is a claim against the estate, dispute regarding the validity of the Will or Intestacy or some other contentious aspect.
- The estate includes more than 6 bank/building society accounts.
- There are more than 3 investment accounts or more than 5 individual shareholdings.
- The estate is insolvent.
- There are multiple creditors of the estate.
- The Will or Intestacy creates ongoing trusts.
- The deceased made gifts during the 7 years prior to their death to a value in excess of £325,000.00.
- The matter is urgent.

Disbursements

Disbursements will be charged in addition to our fees. 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. For this type of work, we expect the following disbursements to be incurred:

Disbursement	Fee
Probate application fee	£273
Additional copies of the Grant (Per Office Copy)	£1.50
Bankruptcy-only Land Charges Dept searches	£2 per beneficiary
Post in The London Gazette (protects against unexpected claims from unknown creditors)	£82.50 (inc of vat)
Post in a Local Newspaper (this varies depending on the newspaper) This also helps to protect against unexpected claims	£96.00 (inc of vat)
Swear Fees for Oath or Affidavit (if required per person)	£5.00
Exhibit Fee for Oath or Affidavit (if required per exhibit per person)	£2.00
Potential Disbursements	Fee
Accountant fees	tbc
Tax advisor fees	tbc
Valuation fees (for IHT purposes)	tbc

Additional Information

Whilst we can help you with everything that you need to know about dealing with the financial affairs of a family member or friend that has died, there is information widely available online that can explain the process. An example of information can be [found here](#) at Legal Choices.

Our people that can do this type of work



**DANIEL
WILSON**

PRINCIPAL

0345 074 2452
daniel.wilson@emwllp.com

I specialise in advising high net worth individuals and their families on a range of private client issues covering succession planning, wealth protection and estate administration. The matters I deal with include complex Wills, probate, tax, trusts, powers of attorney and Court of Protection work



**GEORGINA
SINHA**

ASSOCIATE

0345 074 2460
georgina.sinha@emwllp.com

I advise high net worth clients, entrepreneurs and the independently wealthy in the protection and distribution of their wealth including administering high value and complex estates. I also advise clients on matters including Estate & Wealth Planning and subsequent Tax considerations, Estate Administration (also known as Probate), Wills & Trust creation and administration, and Court of Protection & Powers of Attorney.

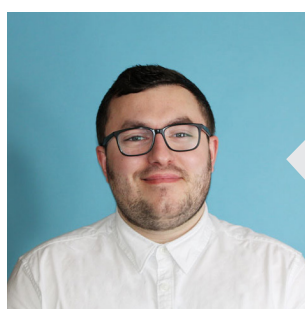


**JOANNE
CHAPMAN**

ASSOCIATE

0345 074 2348
joanne.chapman@emwllp.com

I advise on a range of Private Client matters including Wills, Probate, Lasting Power of Attorneys and Inheritance Tax Planning. Whilst regularly advising on succession issues and steps to limit IHT, both in relation to Wills and as part of a broader planning strategy, I have a particular experience in assisting executors and administrators with Grant of Probate applications and administering large and complex Estates. I'm also an affiliate member of STEP (Society of Trust and Estate Practitioners).



**OLIVER
KENT**
SENIOR SOLICITOR

0345 074 2455
oliver.kent@emwllp.com

I advise on a variety of private client matters including Wills, Lasting Powers of Attorney, Probate, Trusts and Inheritance Tax Planning.