

Our Service

Our Wills and Probate Department offer a range of administration services to assist in dealing with the estate when a loved one dies. We appreciate that the task of obtaining Probate can be overwhelming and our Solicitors are here to ease the burden in any way we can, whether it be undertaking the complete administration or simply assisting with the preparing of the Inheritance Tax papers and Grant of Probate Application.

Why choose us?

- We are considered to be the sector leading specialists in Christchurch and its surrounding areas.
- We have a wealth of experience in administering Estates, Inheritance Tax and Post Death Variations.
- Over 99% of our clients surveyed in the last year gave us a good or very good rating for administration of estate work.
- Flexible fee structure
- Dedicated, highly qualified Solicitors
- Proactive work resulting in the swift distribution of assets to beneficiaries.

Who we are?

David Orr – Partner/Head of Wills and Probate

Having been with the firm for over 10 years, David offers substantial Probate and Administration experience. His specialisms are in taxable and complex estates with particular emphasis on Inheritance Tax mitigation.

David's approach and manner in what can be difficult times is greatly appreciated by his clients. Over the years, he has developed a loyal client following and is regularly recommended by local Accountants, Financial Advisers and Funeral Directors who appreciate his efficient and practical approach.

David obtained an LLB degree at the University of Plymouth before studying his Legal Practice Course at the College of Law in Guildford. Having started as a Trainee Solicitor at Williams Thompson, he became head of Department and Partner in February 2015.

Jessica Percival-Riley – Solicitor

Jessica is an integral part of our Wills and Probate department and specialises in the administration of both taxable and non-taxable estates.

Jessica's friendly and welcoming nature immediately puts clients at ease. She is able to couple her extensive knowledge and expertise with a proactive and detailed approach. Jessica receives overwhelmingly positive feedback from all clients and in a relatively short time, has already built up a loyal client following.

Academically, having obtained a first class honours degree in Forensic Science at Bournemouth University, she then passed the Legal Practice Course with Distinction. Jessica undertook her training with the firm and qualified as a Solicitor in September 2016.

Our Pricing

As every estate is different, it is difficult to give an exact. Williams Thompson offers 3 pricing bands to cover from simple straightforward estates right through to the most complex taxable matters. Our pricing allows us flexibility to work with Executors/Administrators to achieve the swift and comprehensive administration of the Estate in the most efficient manner.

Option A - Probate Only (Simple Estates)

For simpler matters where no tax is payable. we are able to assist in obtaining the Grant of Probate/Letters of Administration. This involves the assessing of the estate for IHT purposes (to ensure no tax is payable) and then the preparation of the application itself which is in the form of a document known as a Statement of Truth. We will then submit the application on your behalf. Once obtained, the Grant of Probate/Letters of Administration will be passed to you for use in the administration.

How much does this service cost?

We offer a fixed fee of £850 plus VAT and disbursements for this service which can be broken down as follows:-

- Legal Fees - £850
- VAT on Legal Fees - £170
- Probate Application Fee - £288 (to include 10 copies)

Total Fixed Fee including disbursements and VAT:- £1,308.00

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.

How long will this take?

The Probate Registry are currently advising that all applications are taking up to 16 weeks to issue. Therefore it is likely a Grant of Probate will be received 18-20 weeks from initial instructions.

Option B - Probate Only (Complex Estates)

This option is for more complex matters where the estate administration involves the preparation of an Inheritance Tax Return IHT 400 and supplemental accounts. In addition, we may be required to arrange the payment of tax from existing assets. Once we have received provisional clearance from HMRC we will then prepare a court application in the form of a Statement of Truth which is duly submitted to the Probate Registry. Once the Grant has been obtained it will then be passed back to the Executor to complete the Administration.

How much does this service cost?

We offer a fixed fee for this service which can be broken down as follows:-

For Non Taxable Estates

- Legal Fees - £2,000
- VAT on Legal Fees - £400
- Probate Application Fee - £288 (to include 10 copies)

Total Fixed Fee including disbursements and VAT:- £2,688.00

For Taxable Estates

- Legal Fees - £3,000.00
- VAT on Legal Fees - £600
- Probate Application Fee - £288 (to include 10 copies)

Total Fixed Fee including disbursements and VAT:- £3,888.00

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.

How long will this take?

HMRC have issued guidelines stating that initial clearance (required for Probate) will be issued within 3-4 weeks.

The Probate Registry are currently taking up to 16 weeks to issue applications.

Therefore it is likely a Grant of Probate will be received 24-26 weeks from initial instructions, factoring in our own time in drafting the relevant documents, initial client meetings etc.

Option C – Full Administration

For this service we will complete the full administration of the estate to include, where applicable: -

Legal:-

- Confirming existence and validity of Last Will.
- Preparing Court Application for Grant of Probate/Letters of Administration.

- Where the estate is Intestate (no Will), applying the correct rules of Intestacy and where applicable, carrying out the necessary research to identify all beneficiaries.
- Obtaining the Grant of Probate/Letters of Administration.
- Where applicable, placing all Statutory notices which protect the estate against unknown Creditors.

Administration

- Notifying all asset and liability third parties of the death. Requesting relevant information from them and notifying them of our involvement together with redirecting all future correspondence to ourselves.
- Identifying and corresponding with all Beneficiaries (including carrying out relevant identification and Bankruptcy checks)
- Professional valuation of all estate assets for Probate.
- Calling in or transferring estate assets and accumulating funds for distribution to the Beneficiaries.
- Settling all liabilities and debts of the estate.
- Payment of Legacies and interim distributions to the Beneficiaries.
- Preparing detailed Estate Accounts confirming all sums received and paid out.
- Conclusion of estate and distribution of funds.

Property

- Ensuring the property is secured
- Notifying insurers of the change of circumstances and ensuring correct cover is in place.
- Checking on the property periodically to comply with Insurance requirements.
- Arranging Probate valuation by local Estate Agents for Probate purposes.
- Instructing Estate Agents to market the property for sale, to include arranging an Energy Performance Certificate.
- Arranging the sale of any contents and chattels at auction.
- The removal and clearance of any un-saleable chattels prior to the sale of the property.

Tax

- Completing the relevant Inheritance Tax forms (IHT 400) correctly, applying all relevant exemptions and reliefs to minimise the tax liability of the estate.
- Liaising with HMRC regarding Income Tax returns for the deceased and liaising with appropriate third party accountants or otherwise to ensure the complete conclusion of the individual tax affairs of the deceased.
- A Capital Gains Tax submission, where applicable.
- Undertaking any corrective action required i.e where assets are sold for more/less than originally declared.
- Ensuring Payment of all the above taxes.
- PLEASE NOTE: For Estates which qualify for the Trust Registration Service (TRS), we will not undertake the registration but can (at your request), liaise with you accountant or suggest an appropriate firm who will be able to carry out the work on the Trusts/Estates behalf (see below).

How much does this service cost?

Our charges for dealing with the full administration take into account the value of the estate (as a percentage) together with the time recorded as spent on the matter (hourly rate). This is to reflect both the responsibility element and the direct work involved.

The value element is based on a rate of a maximum of 1% of the gross asset value of the estate. This compares with banks that will charge up to 4% and others who charge varying percentages on different assets. We charge this whether or not we are Executors (as against some providers who charge a premium rate in those circumstances). Our charge will be a total of the time spent and the value element combined.

IN ALL CASES where applicable, we will review your overall charge at the end of the matter to ensure it is fair and reasonable and if necessary, reduce the value element accordingly.

While it is very difficult to estimate costs precisely as each matter is different, taking into account an average of our fees against previously administered estates, the average total fee per matter equates to 1.5 – 2 % plus VAT of the gross estate when both these elements are added, less an appropriate deduction to reflect the complexity of the matter.

Example

A taxable estate comprising one property, valued at £500,000 and savings of roughly £200,000 (i.e Total estate £700,000) being distributed to 5 family members.

- Estimate Legal Fees:- £10,500.00* (see below)
- VAT on Legal Fees - £2,100.00
- Probate Application Fee - £288 (to include 10 copies)

Estimated Total Fee including disbursements and VAT:-
£12,888.00

*As above, the fee will be calculated based on two elements:-

- Time - Here the estimate likely time cost (hourly rate) would be £4,900 plus VAT.
- Value – 1% of the gross estate would result in an additional charge of £7,000 plus VAT. However, as the estate was not complex, the percentage element will be proportionally reduced to account for this to say 0.8% (£5,600.00 plus VAT)

Work that is not included – Trust administration

Where a Trust arises from an estate, unless expressly agreed, Williams Thompson Solicitors LLP will not undertake any work in the administration of the Trust.

We strongly recommend any clients whom this becomes relevant seek the advice of their chosen tax advisers to ensure compliance with HMRC's regulations regarding Trusts and the Trust Registration Service requirements.