

Probate (Full Estate Administration Service)

When a loved one passes away, the grief can be almost too much to bear. We, at Prince Evans Solicitors LLP, can help you through your time of bereavement by providing compassionate, professional and practical advice.

We offer a full Estate Administration service to ease you through the steps that need to be taken in administering an uncontested estate where all assets are held within the UK.

We will handle the full difficult process for you. We will conduct investigations into the deceased's estate, complete the necessary Inheritance Tax ("IHT") return, submit such to HM Revenue & Customs ("HMRC"), apply to the Probate Registry for the correct type of Grant required to administer the estate, and collect in and distribute the net assets of the estate to its beneficiaries.

As part of our full estate administration service we will:

- provide you with a dedicated, professional probate solicitor to work on your matter;
- meet with you to discuss the estate of the deceased;
- provide you with legal advice and guidance regarding the administration of the deceased person's estate;
- outline what a person's beneficial entitlements may be in that estate;
- identify the legally appointed Executors or Administrators and Beneficiaries;
- provide you with guidance and assistance as to the personal and financial information we will require in order to complete the relevant IHT account and application for Probate;
- accurately identify the type of Probate application that will need to be made;
- conduct investigations into the date of death value of assets and liabilities which the deceased may have held an interest in at the time of their death, in order to compile a complete and accurate picture of the financial institutions involved, and the size, shape and value of the estate;
- place the necessary s.27 Trustee Act Notices into both The London Gazette and a newspaper local to where the deceased lived in order to protect the estate against unexpected claims from unknown creditors;
- correspond with the various financial companies and institutions to obtain the relevant information and documentation to make the applications;
- complete the correct IHT account (together with all relevant supplemental pages) based upon the results of the investigations into the asset and liability date of death information and valuations;
- attend to any alterations, amendments and updates required to be made to the documents;
- prepare a finalised IHT account for the Executors or Administrators to sign, before submitting such to HMRC;

- attend to the settlement of the initial payment of IHT (where applicable) directly from the estate's available funds (such as directly from a bank account held by the deceased) or obtain sufficient initial funds from the Executors or Administrators directly;
- draft a legal Oath for the Executors or Administrators to consider, approve and have sworn;
- make the application to the Probate Registry for either a Grant of Probate or a Grant of Letters of Administration to be issued;
- obtain the correct Grant together with two Court-sealed copies;
- register the said Grant with all of the various financial institutions where the deceased held assets, accounts and / or investments so that they can be closed, encashed and / or transferred;
- complete Estate Tax Returns for dividends, income, interest and / or gains received by the estate during its period of administration;
- have such Estate Tax Returns considered, signed and approved by the Executors or Administrators before submitting such to HMRC;
- prepare and finalise a set of Estate Accounts detailing the full financial transactions of the estate, and have such approved and signed by all Executors or Administrators, and Residuary beneficiaries;
- collect in all assets in the estate;
- settle all estate costs, debts, expenses, liabilities and taxes (including settling all remaining IHT, together with any Capital Gains Tax and / or Income Tax liabilities) attributable to the estate;
- distribute the pecuniary legacies, specific gifts and / or the residuary estate to the beneficiaries in accordance with the terms of the deceased's Will or intestacy provisions; and
- attend to all correspondence sent and received.

In probate matters it is often difficult to outline accurate estimates at the outset as to the likely costs, as they are principally based upon the time taken to carry out the work in administering the estate. Legal costs will be charged to the estate or to the Executor or Administrator at the hourly rate of the acting solicitor, plus VAT (at 20%) and disbursements.

Where we are instructed to attend to the full administration of a deceased person's estate, interim invoices are delivered throughout the matter for work undertaken in leading up to an application to the Probate Registry for the production of the correct type of Grant, during the process of administering the estate, and ahead of attending to a final distribution of the net estate assets to its beneficiaries.

These invoices are settled out of estate funds. However, where insufficient estate funds are available to settle the legal costs the acting Executor(s) or Administrator(s) shall become personally liable to settle our invoices.