

Fixed Fee Probate Services

We are here to lend
a helping hand.

A Flexible Service

We're here to help...

When someone has passed away our supportive and friendly team can provide a helping hand.

We understand that this can be a difficult time and the prospect of dealing with important decisions and handling the Probate process can be daunting.

For this reason we provide a free no obligation meeting to discuss the practical and legal steps to be taken.

At the meeting we will discuss with you:

- Who needs to be informed.
- How best to protect the house and contents.
- Whether or not a Grant of Probate will be needed.
- Any inheritance tax liability and potential savings that could be made.
- Guidance on dealing with the estate.
- What our charges will be if you need our help.

Please feel free to call us to arrange a meeting.

Our Promises

Fixed Fee with a flexible service

A fair deal for you...

- Supportive and friendly approach.
- Prompt action.
- Keeping you informed every step of the way.
- Fixed Fee agreed with you.
- No hourly rates or unexpected costs.



Our Probate Services

We can handle all aspects of the administration of the estate for you, or if you would like to deal with some of the tasks yourself we can take care of the more complex or time consuming parts.

The choice is yours

We offer three levels of Probate service for you to choose from, each with a Fixed Fee.

Probate ONLY

We will obtain a Grant of Probate and you can deal with the administration. This is a cost effective and straightforward service.

If you would prefer to deal with most of the administration of the estate yourself we can obtain the Grant of Probate. We will complete the Inheritance Tax Account, prepare the legal statement and apply to the Probate Registry on your behalf.

Probate PLUS

Our Probate ONLY service PLUS advice and assistance with the administration of the estate. You choose the services you require.

Some people have enough time and energy to administer an estate themselves and if you would like to do so we can guide and assist you. This can save you time and money.

Some additional services you may require include, but are not limited to:-

- Placing statutory advert for creditors
- Preparation and advice on a Deed of Variation
- Guidance on the administration of a Will Trust to include Trust Registration

Probate COMPLETE

We will complete the whole of the administration on your behalf taking the burden from you. We will act promptly and keep you informed of progress every step of the way.

This service is ideal if you want the reassurance that everything is being dealt with correctly and professionally.

Frequently Asked Questions

What is Probate?

A Grant of Probate is a document which confirms that the executors have the legal authority to deal with the deceased's estate. Probate will be granted to the people named in the Will as executors or the person appointed by the Court if there is no Will.

Without the Grant of Probate you may not be able to sell or deal with the assets. The procedure which is often referred to as "Probate" means identifying and gathering in all the money and other assets of the deceased person, paying off any debts and distributing their estate. This is also referred to as "administering the estate."

Is a Grant of Probate always needed?

Sometimes a Grant of Probate is not required. Banks may be willing to release money up to a certain limit (which varies from bank to bank) after being provided with a death certificate. If there is a jointly owned house or a joint bank account these assets may pass to

the surviving owner automatically so again, a Grant of Probate may not be required. If the deceased person owned property in their sole name or had cash assets greater than £15,000 it is likely that a Grant of Probate will be required. We will let you know.

I am named as one of the executors. What are my responsibilities?

If you are the sole executor or one of the executors in the Will it is your responsibility to deal with the estate and this involves certain legal duties and responsibilities. You can be held personally liable for any losses if errors are made. This is why executors like the reassurance of having the assistance and guidance of a firm of solicitors.

We can advise you on the steps to be undertaken as executor and help you with any concerns that you may have.





Must we instruct the firm which has the Will?

Executors can instruct the firm of their choice. You do not have to instruct the firm which is holding the Will and you are entitled to collect the Will from them. As executors you must ensure that the work is undertaken efficiently and you have the right to choose the law firm you trust.

What fees are involved?

The estate pays the costs of Probate so the executors do not have to pay these personally. We believe that Probate fees should be fair and simple so before we proceed we will discuss and agree a fixed fee with you.

What happens next?

The first steps to be taken are to register the death, ensure that the house and contents are secure, locate the Will if there is one and arrange the funeral. Please call us to talk about the next steps to be undertaken.

We can confirm whether a Grant of Probate will be required which is important because it can make a difference to the timescale and cost.

How long does it take?

Some straightforward estates are dealt with in a few months. It is not uncommon however for it to take 12-24 months. This depends on the nature of the estate and whether or not Inheritance Tax is payable. Sometimes there are complexities and unexpected circumstances which cause delays.

Our aim is to obtain the Grant of Probate as promptly as possible which allows us to access funds and if possible pay interim distributions to the beneficiaries.

When Should Solicitors Be Involved?

Here are just some of the reasons you may require our assistance:

Time

Identifying, valuing, gathering in and distributing the assets in an estate can be a surprisingly time consuming job. We know how to obtain information quickly and efficiently and the best steps to take.

Executors' concerns

Executors have legal authority to administer the estate. There can be personal liability if matters are not handled correctly and the appropriate tax allowances are not claimed, so it can be reassuring to have a professional adviser.

Gifts to children or Trusts

If there are children under the age of 18 or Trusts referred to in the Will we can assist with these complications.

Family disputes or sensitivities

Executors will often prefer a solicitor to prepare the accounts and distribute money to family members. Having a professional person involved can help avoid family disagreements over the estate.

Investments, business or farming interests

We can obtain valuations and advise as to whether the assets should be sold or retained. We can also advise on how to claim valuable tax reliefs and minimise any tax payable.

Tax claims and liabilities

Establishing whether any Inheritance Tax is payable and making claims for available tax allowances can be quite complicated and you could end up paying more tax than you need to. With our experience, we can complete the tax forms on your behalf and ensure the tax calculations are accurate.

Missing Will

If the original or copy of a Will cannot be found, it may be necessary to make enquiries with local solicitors or banks. If no Will was made the Intestacy Rules will apply and legal help will be required.

Foreign property

There may be a separate Will covering foreign property. It may be necessary to involve foreign lawyers but this is something we can arrange on your behalf.

Challenge to the Will

A family member or other dependant can challenge the terms of a Will if reasonable provision has not been made or on the basis that the person who made the Will did not have mental capacity or was subject to undue influence. Executors should take legal advice if there is a possibility of a challenge to the Will.

The Probate Process

Stage 1

1. Register the death (at the Registry Office) with the Registrar
2. Complete the Tell Us Once Service
3. Check that house & contents are secure
4. Locate Will
5. Arrange the funeral
6. Meet with a solicitor to discuss the next steps
7. Inform household insurers
8. Inform utility companies
9. Consider if valuable contents should be removed

Stage 2

1. Obtain date of death valuations of all assets
2. Ascertain debts & other liabilities
3. Arrange for a Probate valuation of the property
4. Obtain bank account/building society statements
5. Value any business interests

Stage 3

1. Calculate the value of the Estate
2. Complete IHT forms
3. Claim relevant tax allowances
4. Calculate and pay any IHT due
5. Prepare legal statement for Executors
6. Apply to the Probate Registry for Grant of Probate

Stage 4

1. Place statutory advert for creditors
2. Claim and gather in money and other assets
3. Arrange payment of debts
4. Deal with sale or transfer of the house if required
5. Calculate and deal with any CGT or Income Tax
6. Distribute personal possessions
7. Prepare Estate Accounts
8. Pay legacies to family, friends of charities
9. Finalise the administration of the Estate



38 Market Place
Chippenham
Wiltshire
SN15 3HT

01249 478333

33 St John's Street
Devizes
Wiltshire
SN10 1BW

01380 722311

7 Woodstock Court
Blenheim Road
Marlborough
Wiltshire
SN8 4AN

01672 518620

Stafford House
57 High Street
Royal Wootton Bassett
Wiltshire
SN4 7AQ

01793 853200

2 Gateway North
Latham Road
Swindon
Wiltshire
SN25 4DL

01793 384140