

What disputes occur in Wills, Probate & Trusts?

Disputes can arise between Executors, Beneficiaries and/or third parties. Our services guide you through and seek to resolve those disputes.

We can assist you to determine the nature of the dispute, the strength of your case, the pursuit of a claim, and help the resolution of the dispute between parties.

Here are some typical examples associated with common themes of disputes, but really there is no exhaustive list of how disputes arise in this area:

- A Will may be drafted irregularly by the deceased or a person without any experience and lead to interpretation difficulties.
- A Will may not be witnessed correctly and lead to doubts about its validity if it has not been signed or witnessed correctly.
- A person may be left reduced or with no provisions, and be dependent on the deceased. As a result, they will suffer some financial hardship, commonly referred to as an Inheritance Act claim
- Errors can arise in Wills if the instructions have not been followed.
- Trust disputes between Trustees.
- Two conflicting Wills dated on the same date, not knowing which is the last Will.
- Attorneys and Executors not seeing eye to eye in the management of a person's affairs.
- Beneficiaries believe the Testator to not have the capacity to create the Will, or that they have been unduly influenced in some way, or the process is fraudulent.

This document includes a breakdown of the fees that apply in this area.

Separate documents covering our Probate and Administration fees, and Wills and Power of Attorney are available to download from our website.

Advice

Generally speaking, we will initially complete a case by case assessment of the dispute and recommend a fixed number of hours to be spent initially to ascertain all of the facts and issues at hand.

This ranges significantly between cases and can be from one hour upwards. We will provide you with a bespoke quote to suit your case.

At that point, we will provide an outline of all the facts and issues to hand and give suggestions on how to take the matter forward. As such, it will be clearer to you about the strengths and weaknesses of your case.

Please note that in some cases it is possible to begin negotiations and solutions in this time frame and in others it is not.

It does depend on the case as no one dispute is the same.

We always complete an ID check per client:

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| ID Check | £10 plus VAT |
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Some of the disbursements we may encounter are as follows:

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| Probate Court Search Fee | £1.50 per caveat and per download of document required |
| Land Registry Property Check | £3.00 per document |
| Death certificate | from £12.00 (varies per local authority and timescales) |
| Will Search | Cost varies |
| OPG Search | Free |

Team Hourly Rates

The hourly rates of our Wills & Probate team vary dependent on their years of qualification and general experience. These will always be set out in our terms of business.

General hourly rates for the fee earner's time will apply for any specific advice offered outside of any agreed fixed fees.

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| Rebecca Harbron Gray | £300.00 plus VAT |
| David Dewar | £300.00 plus VAT |
| Catherine Walker | £230.00 plus VAT |
| Joseph Timlin | £230.00 plus VAT |

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| Josef Lythe | £230.00 plus VAT |
| Georgia Allen | £85.00 plus VAT |
| Simoon Brown | £85.00 plus VAT |

If you require a quote for a bespoke piece of advice please contact us.