## **Private Client Law**

**Wills, Estate Planning, Lasting Powers of Attorney and Court of Protection matters:**

**Our Charges:**

Our fees vary depending upon how complex your case is, and the level of expertise required. For a free quote specifically tailored to your circumstances please email rebekah.banks@alilegal.co.uk. We would be more than happy to discuss your specific case and the precise requirements.

To give you an idea of how we charge however, and to comply the SRA price transparency rules, we have set out below details of our fees.

Our charges are made up of:

1. our fees for the legal work;
2. ‘disbursements’ - disbursements are costs related to your matter that are payable to other people, such as capacity assessments, certificate provider fees and any specialist taxation advice (if applicable).

Where VAT is referred to below, please note that this will be charged at the applicable rate, which is currently 20%.

**Will Drafting & Estate Planning:**

We advise individuals on all aspects of Will drafting and advice is tailored to your specific circumstances and needs.

Wills are charged on a fixed fee basis, and which will include your initial consultation, drafting of the Will together with our client care letter clearly summarising your instructions and the advice given at your appointment, a further appointment to execute your Will and have this correctly witnessed. We can also arrange storage of your Will.

Should further appointments be required, or expert taxation advice required from third parties, additional charges may apply depending on the additional time spent on your particular mater.

Rest assured, any potential increase in costs will always be discussed and agreed with you throughout.

If you are unsure on the complexity of your case and what costs may be involved, we would be happy to have a confidential discussion with you on the telephone and provide a more tailored quote.

It usually takes no longer than three weeks, from your initial appointment to finalisation and execution of your Will. Timescales will be discussed with you at your appointment once the complexity of your circumstances have been considered.

Our fees:

* Standard Will £350-400.00 pus VAT
* Standard Wills
(for a couple) £500.00 plus VAT
* Complex Will £500.00 to £1,000.00 plus VAT

If you require general Estate Planning advice or have a specific question relating to your potential Inheritance Tax position, we will charge at the hourly rate of the solicitor assigned to your matter.

**Lasting Powers of Attorney:**

Lasting powers of Attorney (LPAs) are documents executed by you (the donor) appointing another individual or individuals to manage your property & financial affairs and/or health & welfare decisions.

Post 2007, LPAs replaced Enduring Powers of Attorney (EPAs). EPAs are still valid legal documents and require registration at the point the donor is beginning to or has lost mental capacity. If you require advice or assistance with registering an EPA, please contact us and we would be happy to assist you further.

LPAs must be registered with the Office of the Public Guardian (“OPG”) before being used by the attorney(s) and is included with our service.

We can advise on both types of LPAs and tailor to your specific circumstances.

Our fees:

* One LPA £500.00 plus VAT
(single person)
* One LPA
(for a couple) £850.00 plus VAT
* Both LPAs
(single person) £850.00 plus VAT
* Both LPAs £1,250.00 plus VAT
(for a couple)
* EPA registration £500.00 plus VAT

The OPG also charge a fee of £82.00 for registration of each LPA. Fee remissions/exemptions are available for some individuals based on your income status. This can be considered with you at your appointment.

The OPG registration fee for an EPA is also £82.00 (fee remission/exemption also claimable).

As part of the LPA process, you are required to have a Certificate Provider. This is someone who certifies that, among other things, that you have the requisite capacity to execute your LPA. The Certificate Provider must be an independent party (I.e., not party to the LPA) and have known you for at least 2 years or they may be a medical professional or solicitor. Usually, the solicitor overseeing your matter will undertake the role of the Certificate provider, having discussed the document with you and taken instructions. This is included in the aforementioned charges.

Sometimes, for a number of reasons, it is beneficial to have a medical professional undertake a capacity assessment and/or act as Certificate Provider, so as to protect the validity of your LPA. Such persons usually charge for this service, and we would advise budgeting at least £125.00.

It is always advisable to consider making LPAs; unforeseen circumstances can lead to an individual losing their capacity at any stage in their life. By making an LPA, you are able to choose who looks after your affairs, if you are no longer able to do so.

If you lose capacity, without having executed a valid LPA, someone (who you may prefer not to) could make an application to the Court of Protection to be appointed as deputy. This is considered below and can be significantly more expensive and includes ongoing supervision fees.

**Court of Protection – Deputyship applications.**

When an individual loses capacity and does not have a valid LPA, those who would like to manage the incapacitated persons affairs, will need to make an application to the Court of Protection. If appointed by the Court, you will become a deputy.

You can apply to become someone’s deputy if the person is unable to make decision(s) for themselves, at the time it needs to be made. There are many reasons why a person lacks mental capacity such as: dementia, brain injury, learning disabilities

If you are appointed by the Court as a deputy, you will be authorised to make decisions on their behalf.

There are two types of deputy; the most common is a Property and Financial Affairs deputy. This will enable you to manage their everyday finances including payment of bills, arrange payment of care expenses and the like.

The second type of deputy is a Personal Welfare deputy. This type of deputy will make decisions about medical treatment, how someone is looked after and where they are to live etc. It is less common for this type of deputy to be appointed by the Court and an order if only usually made if: -

* There is uncertainty whether a decision is or will be made in someone’s best interests. This usually occurs when family members disagree about care.
* A specific issue needs to be considered such as, where someone is to live long-term, whether they should undergo certain medical treatment/an operation.

If you are unsure if an application should be made in respect of personal welfare, please get in contact and we would be happy to discuss your particular circumstances with you.

Our fees:

The Court of Protection sets a fixed fee for solicitors acting on behalf of a proposed deputy, in a deputyship application. This is presently £950.00 plus VAT. If an additional application needs to be made, for example to obtain a specific order to sell someone’s home, the fixed fee stands at £500.00 plus VAT.

There is also an application fee of £371.00 payable per application. This is sent alongside the application to the Court.

It is important to note that once appointed as a Deputy, you will be required to pay a supervision fee every year after you have been appointed; you must also file an annual report with the OPG explaining what decisions you have made. For this reason, it is advisable that clear accounts are kept by the deputy throughout the year.

The Court, on considering your application, may also require you to set up a “security bond” before granting the deputyship order. The cost of the same can be recovered from the person’s monies following grant of the deputyship order.

## **Who will be dealing with my matter?**

Your matter will be handled by a trusted member of our experienced private client team.

Once we know who will be handling your case for you, we will introduce you to them and provide you with full details of their background and qualifications.

Regardless of who is working on your case the matter will be supervised by one of our partners: -

* Akbar Ali – Director and Solicitor
* Rebekah Banks – Partner and Solicitor

Should you require a home visit to discuss your matter, this can also be arranged with one of our qualified solicitors; depending on the distance involved, additional charges may apply and will be discussed with you prior to commencing work.