

WILLS & ESTATES COSTS AND DISBURSEMENTS

Estate planning documents

Individual

• Simple Will	\$ 880
• Simple Enduring Power of Attorney (EPOA)	\$ 550
• Complex EPOA	\$ 880
• Simple Will & simple EPOA *	\$1,210
• Simple Will & complex EPOA *	\$1,540
• Testamentary trust Will	\$2,200
• Testamentary trust Will and simple EPOA	\$2,530
• Testamentary trust Will and complex EPOA *	\$2,860

Reciprocal documents for two people

• Simple Wills	\$1,320
• Simple EPOAs	\$ 825
• Simple Wills & simple EPOAs *	\$1,925
• Simple Wills & complex EPOAs *	\$2,310
• Testamentary trust Wills	\$3,300
• Testamentary trust Wills and simple EPOAs	\$3,795
• Testamentary trust Wills and complex EPOAs *	\$4,290

when documents are prepared and executed at the same time.

Any work required that is outside the scope of the items described here will be charged at our hourly rate.

Estate administration

- Costs

Below is a reproduction of the Regulation setting out the maximum fees that a lawyer may charge in NSW for applying for a grant of probate, or letters of administration.

There is no equivalent Regulation in the ACT at present.

We apply the same fees to ACT estate administration matters.

Legal Profession Uniform Law Application Regulation 2015

Schedule 3 Costs for legal services for probate and administration of estates matters.

Part 1 - Application

1 Included legal services

The costs fixed by this schedule include the following legal services—

- (a) taking instructions to obtain a grant of probate or letters of administration or a resealing,
- (b) attendance to verify details of assets supplied by an executor or administrator,
- (c) preparing and filing court documents,
- (d) attendance with an executor or administrator to execute,
- (e) answering requisitions,
- (f) perusing grants and preparing advice to an executor or administrator.

2 Excluded legal services

The costs fixed by this schedule do not include the following—

- (a) disbursements, valuation fees, advertising fees, filing fees and other similar fees,
- (b) sorting estate papers and items,
- (c) services provided to meet taxation requirements, including preparing tax returns,
- (d) obtaining a valuation of assets or debts,
- (e) identifying the existence of assets or whether certain assets form part of the estate,
- (f) preparing advice on the following—
 - (i) taxation,

- (ii) the rights of the other party to challenge the will,
- (iii) complex questions of interpretation of a will,
- (iv) informal wills, rectification, capacity, duress, undue influence or forgery,
- (v) renunciation or reservation of the right to apply for probate,
- (g) preparing transmission applications and other work to facilitate the transfer and realisation of assets,
- (h) preparing and publishing notices of intended distribution,
- (i) preparing and filing accounts to pass the accounts.

Part 2 - Obtaining first time grant of probate or administration or the resealing of probate or letters of administration

Disclosed value of assets	Amount
Not more than \$30,000—	
(a) base cost	\$560.00
(b) plus for each \$1,000 up to \$30,000	\$ 13.33
More than \$30,000 but not more than \$150,000—	
(a) base cost	\$960.00
(b) plus for each \$1,000 over \$30,000	\$ 5.90
More than \$150,000 but not more than \$1,000,000—	
(a) base cost	\$1,670.00
(b) plus for each \$1,000 over \$150,000	\$ 4.47
More than \$1,000,000 but not more than \$3,000,000—	
(a) base cost	\$5,470.00
(b) plus for each \$1,000 over \$1,000,000	\$ 1.66
More than \$3,000,000 but not more than \$5,000,000—	
(a) base cost	\$8,800.00
(b) plus for each \$1,000 over \$3,000,000	\$ 1.10
More than \$5,000,000 but not more than \$10,000,000—	
(a) base cost	\$11,000.00

(b) plus for each \$1,000 over \$5,000,000	\$ 0.90
More than \$10,000,000	\$15,500.00

Any work required that is outside the scope of the items described above in “Part 1 Application (Included Services)” will be charged at our hourly rate.

- Disbursements

- Notice of Intention to Apply for Probate/Letters of Administration
 - ACT \$ 61.00
 - NSW \$ 46.00
- Application for Grant of Probate/Letters of Administration/Reseal of Probate
 - ACT
 - for an estate the gross sworn value of which is:
 - (a) Less than \$50,000 No charge
 - (b) \$50,000 or more, but less than \$250,000 \$1,124.00
 - (c) \$250,000 or more, but less than \$500,000 \$1,420.00
 - (d) \$500,000 or more, but less than \$1,000,000 \$2,147.00
 - (e) \$1,000,000 or more \$2,859.00
 - NSW
 - for an estate the gross sworn value of which is:
 - (a) Less than \$100,000 *Fee waived*
 - (b) \$100,000 or more, but less than \$250,000 \$921.00
 - (c) \$250,000 or more, but less than \$500,000 \$1,250.00
 - (d) \$500,000 or more, but less than \$1,000,000 \$1,918.00
 - (e) \$1,000,000 or more, but less than \$2,000,000 \$2,555.00
 - (f) \$2,000,000 or more, but less than \$5,000,000 \$4,258.00
 - (g) \$5,000,000 or more \$7,099.00

Estate Litigation

- Costs

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|---------------|-----------|
| • Hourly rate | \$ 660.00 |
| • Travel time | \$ 220.00 |

- Disbursements

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| • Court filing fee (NSW Supreme Court) | \$1,384.00 |
| • Court filing fee (ACT Supreme Court) | \$2,125.00 |