



# 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.

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## 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**

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

### **- Disbursements**

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