**Mark L Ryan Solicitors Pricing & Service Guide 1st August 2022**

Our commitment to transparent pricing

We are committed to providing you with the best possible information about the likely overall cost of your case, both at the time of engagement and when appropriate as the matter progresses.

We are also committed to giving you enough information to help you make an informed choice about the legal services you need and that includes an understanding of what the costs might be. To help you to do this we provide you with information about our services and the prices we charge for them.

Our experience and qualifications

We use experienced and well-qualified staff on all engagements. You will be told who is handling your matter but irrespective of who is handling your file, all work is overseen by Mark Leslie Ryan, a Solicitor of over 29 years post qualification experience.

Our Fees

If we provide you with a fee estimate or quotation for a piece of work then, perhaps obviously, this is made in good faith based upon the information we have before us at the time the estimate is given. We will tell you if it becomes apparent that our fees are likely to exceed an estimate that we have given and we will discuss and agree with you the best way forward.

All our fees may be quoted as inclusive or exclusive of VAT and disbursements where applicable.

Charging Rates

Although we try wherever possible to quote a fixed fee for your work, sometimes we invoice on the basis of the time our professional staff have been engaged on your matter. Our charging rates are reviewed annually. The charging rate for Mark Leslie Ryan for the calendar year 2022 is £275 + vat per hour.

(NB – Throughout this guide, the word ‘Disbursements’ appears. Disbursements are costs incurred relating to your matter that are payable to third parties such as court fees, barrister’s fees and the like. The amount of these disbursements may change from time to time).

*We deal with a wide range of legal topics, but to keep this mandatory document to a manageable length, we have set out in this guide our fees for those matters which we are legally obliged to publish fees for:-*

1. *Probate – see page 2*
2. *Employment Tribunals – see page 4*
3. *Debt recovery – see page 5*

*We may add to this pricing guide at any time and the fees for any type of legal work that is not currently listed in this guide will be set out separately but will still be within the spirit of our commitment set out above.*

1. **PROBATE**

We have over 40 years of collective experience in delivering high quality work in all matters relating to Wills and estate administration.

Our Fees

Obviously, fees vary because estates vary – they vary in size, complexity and work involved. It is not possible to consider every possible type of case we may be presented with. Every case is dealt with on a case-by-case basis. Some cases are charged according to hourly rates (see above for the current rate) and in certain circumstances (we can tell you if these apply to you), we may instead be able to offer you a fixed fee (ie inclusive of disbursements and VAT). Even with fixed fees, these vary depending upon what is required.

Here are just two examples of types of Probate cases:-

*Example 1 - Non-taxable estate – where we are only asked to obtain the Grant of Probate and, quite specifically, we are not instructed to do anything else.*

If we are instructed to apply for the grant in an estate where there is a valid Will and no Inheritance Tax to pay, we anticipate that our fees would be in the region of £500 to £1,250 plus VAT and disbursements.

Anticipated disbursements might include:

* Probate application fee of £273

*Example 2 - taxable estate – and we are instructed to do the full estate administration*

If we are instructed to apply for the Grant of Probate in estate where there is a valid Will and the estate is subject to Inheritance tax, we anticipate that our fees could be anywhere from £1,500 to £12,000 plus VAT and disbursements.

Anticipated disbursements might include:

* Probate application fee of £273 (+ £1.50 per Court sealed copy)
* Creditor notices under s.27 Trustee Act 1925 of £150-£300
* Property valuation fees of £100-£250
* Insurance of empty property (p.a.) of £700 to £1,000 (approx. depending on level of cover)

Whilst not a disbursement to our invoice, the estate would have an Inheritance Tax liability to settle with HMRC. The attached link can help explain how Inheritance Tax is charged:-

https://www.gov.uk/inheritance-tax

Our price may or may not include conveyancing charges for dealing with the sale or transfer of the property in the estate, depending on what we have agreed with you.

Our services

Our services in the first example are as limited as already set out within that example. In the second example our work would include most or all of the following:-

* Identify the legally appointed executors/administrators and beneficiaries
* Accurately identify the type of Probate application
* Obtain the relevant documents required to make the application
* Complete the Probate Application and relevant HMRC forms
* Advising on eligibility to claim the available Inheritance Tax allowances (Nil Rate band, Transferable Nil Rate Band, Residence Nil Rate Band and Transferable Residence Nil Rate band)
* Draft Application for a Grant of Probate
* Calculating the estate’s Inheritance Tax liability and advising you on amount required to obtain the Grant of Probate
* Make the application to the Probate Registry on your behalf
* Correspond with bank and financial institutions to raise cash to fund the estate’s Inheritance Tax liability
* Obtain the Grant of Probate and send copies to you and the financial institutions
* Collect and distribute all assets in the estate and settle the debts and expenses
* Provide a financial statement detailing all the transactions in the estate
* Correspond with you and the beneficiaries at agreed intervals

As mentioned, the exact cost will depend on the individual circumstances of the matter. If any of the “complicating factors” mentioned below are applicable to the estate then this will inevitably create additional work and therefore increase the level of this firm’s costs.

*How long will this take?*

The length of time it takes to administer a taxable estate can vary and depends on its specific circumstances. On average, such estates can take many months to administer and are often subject to delay as we are reliant on HMRC agreeing the estate’s tax liability. On average a taxable estate within our simple example can be dealt within 6 – 18 months of us being instructed.

*Complicating factors that affect the level of our fees for all estates*

If any of the following factors exist for any estate, there is likely to be additional fees that would affect the fees we charge:

* Disputes between beneficiaries or between Executors
* Considering and/or applying for Business and/or Agricultural Property Reliefs
* Complicated Intestacy provisions
* Operating or selling a business
* Attendance at any properties including supervising the clearance
* Dealing with shares in a privately owned company
* Dealing with complicated stocks/shares investments
* Assets abroad
* Assets of a specialised nature e.g. classic cars, heritage items etc.
* Complex tax issues and/or dealing with HMRC investigations
* The Will is unclear or disputed in any way
* Property issues, e.g. missing title deeds
* Transferring (rather than encashing) existing investments to beneficiaries
* Deeds of Variation, disclaimer and renunciation of appointment as executor
* Engagement in litigation or dealing with threatened or anticipated litigation (including caveats)

All other duties of an unusual, unforeseen or complex nature

We can give you a more accurate quote once we have full details of the estate’s profile and circumstances.

1. **EMPLOYMENT TRIBUNALS**

We ONLY undertake work connected with Employment Tribunals on behalf of employers. We do not act for employees.

As with all legal work every employment law case is different but to give you some useful examples we have set out below some common types of case and the likely fees that would apply:-

*Defending claims for unfair or wrongful dismissal*

* Simple case: £3,000 to £6,000
* Medium complexity case: £5,000 to £9,000
* High complexity case: £7,500 to £15,000 (or more in exceptional circumstances)

All of the above are excluding VAT and disbursements.

Please note that the above is a guide only. It is not a fixed fee.

Factors that could make a case more complex:

* If it is necessary to make or defend applications or to amend claims
* Defending claims that are brought by litigants in person and/ or against a number of parties
* Making or defending a costs application
* Difficulty taking instructions and/or you changing your instructions from the original instruction.
* Other parties advisers not co-operating and/or not acting reasonably and promptly.
* You adopting an unreasonable position during negotiations
* Complex preliminary issues such as whether the claimant is disabled (if this is not agreed by the parties), whether the claims are brought in time (jurisdiction issues), whether the Employment Tribunal is the correct tribunal/court for the case to be heard.
* The number of witnesses and documents
* A number of different claims being brought at the same time.
* Allegations of discrimination which are linked to the dismissal (or otherwise)

Disbursements

Hearings are usually undertaken by a barrister (‘Counsel’) on your behalf. We estimate a barrister’s fees would be as follows:

* Brief fee (fee for reviewing papers, preparation for hearing and first day of hearing): £950 to £5,000 (excluding VAT)
* Daily rate: rate for each day thereafter: £950 to £2,500 per day excluding VAT
* We may also involve Counsel in reviewing and/ or drafting the claim/ response and/ or witness statements.

The fees set out above cover all of the work in relation to the following key stages of a claim:

* Taking your initial instructions, reviewing the papers and advising you
* Entering into ACAS conciliation
* Preparing response
* Reviewing and advising on claim from other party
* Exploring settlement and negotiating settlement throughout the process
* Discussing options/ tactics with you
* Preparing or considering a schedule of loss
* Preparing for (and attending) a Preliminary Hearing
* Dealing with disclosure of documents, including liaising with you, exchanging documents with the other party and agreeing a bundle of documents
* Taking witness statements, drafting statements and agreeing their content with witnesses
* Preparing bundle of documents
* Reviewing and advising on the other party's witness statements
* Agreeing a list/ statement of issues, a chronology
* Preparation for Final Hearing, including instructions to Counsel
* Liaising and corresponding with you, the Employment Tribunal and the other side throughout

The stages set out above are an indication and if some of stages above are not required, the fee will be reduced. You may wish to deal with some parts of the claim yourself and only have our advice in relation to some of the stages. This can also be arranged on your individual needs.

How long will my matter take?

The time that it takes from taking your initial instructions to the final resolution of your matter depends largely on the stage at which your case is resolved. ACAS early conciliation may last up to 4 weeks and can be extended by up to 2 weeks by the ACAS conciliator where they believe that there is a reasonable prospect of reaching settlement by the end of the extended conciliation period and both parties agree.

If your claim proceeds to a Final Hearing, a typical 2 day unfair dismissal hearing in the Manchester Employment Tribunal would currently expect to be heard within 9-24 months. This is just an estimate and we will of course be able to give you a more accurate timescale once we have more information and as the matter progresses.

1. **DEBT RECOVERY**

Every single case is different and can shoot off in any number of directions. We have nevertheless set out below details of our fees in dealing with a simple unpaid invoice claim via the pre-action process, through to court proceedings and enforcement of a county court judgment or, as an alternative, via insolvency proceedings. All fees quoted are exclusive of VAT. Note also that not all costs may be claimable from the other side. Anyone involved in any form of litigation should be prepared to meet their own legal costs in full unless and until it is confirmed that some or all of those costs can be and are recovered from the other side.

Pre-litigation fees

The fees applicable prior to the issuing of court proceedings depend on the type of debt, the complexity of the issue and whether this is against a person or a business.

The first stage of the recovery proceedings is to send a letter before claim to your debtor. This will show the court that you have given your debtor an opportunity to pay the debt before court proceedings are issued. This letter before claim can often encourage the debtor to make payment before court proceedings are issued. We will also claim interest on your debt and compensation on commercial debts pursuant to the County Courts Act 1984 or the Late Payment of Commercial Debts (Interest) Act 1998 if applicable.

The typical fee is between £150 and £750.

Pre-litigation negotiations and settlement agreement

As above, the fee depends but is typically between £300 and £1,000

Issuing court proceedings

As above, the fee depends but is typically between £250 and £750. In addition, there will be a Court issue fee to pay at the prevailing rate.

Continuing the proceedings

There are many procedural matters to deal with before a case can go to trial. As above, the fee depends but is typically between £3,000 and £10,000

Trial

If the case is contested all the way to a trial then As above, the fee depends but is typically between £2,000 and £15,000

Enforcement Fees

Should you obtain judgment against a debtor and yet the judgment debt remains unpaid, we can advise on the various methods of enforcement available to you. These may include:-

* Attachment of earnings order
* Charging order on land or property
* Instruct tracing agent
* Instruct agent for detailed investigation report
* Instructing the county court bailiff
* Instruct High court enforcement officer
* Order to obtain information
* Order for sale
* Third party debt order

Insolvency Fees

You can, as an alternative to county court proceedings, commence insolvency proceedings if the debt is undisputed. The proceedings will take the form of bankruptcy proceedings if the debtor is an individual, or winding-up proceedings if the debtor is a company.

There are a number of stages which must be followed throughout insolvency proceedings, some of which we deal with and some we do not. We can advise at the appropriate time

And finally, as we said at the start of this guide, we are more than happy to explain any aspect of our fees to you at any time. Please do not hesitate to contact with any queries you may have.

MARK LESLIE RYAN 1st AUGUST 2022