

INHERITANCE ACT ADVICES

Public Access – Inheritance Act Advices

The Inheritance Act 1975 protects spouses (including former spouses), cohabitants, children and other dependents when a person dies without leaving sufficient money for the dependent's continued wellbeing. Outer Temple barristers can provide you with written advice on whether you can make a claim under the Act. Our barristers can also provide you with written advice when a person dies and you are a beneficiary of the estate, but someone else makes a claim under the Act.

Not every barrister who does this type of public access work is also authorised to conduct litigation, so you may need to instruct an authorised litigator such as a solicitor for that service or be prepared to undertake litigation-related tasks yourself if the matter is to be taken to court.

Timescales

Timescales for your written advice may vary depending on factors such as barristers' availability, the value and complexity of the deceased person's estate, your financial needs and those of any beneficiary of the estate. However, claims under the Act must be made within six months of the grant of probate, so as a guide your written advice will be available within two to four weeks where possible.

Fees

We may charge fixed fees, which means that we will charge you a set amount of money for the written advice. If we charge fixed fees, these may be towards the higher end of the range if you need a more experienced barrister and/or the deceased person's estate is more complex. If the deceased person's estate is particularly complex, your fees may also be higher than the estimate below.

Alternatively we may charge you an hourly rate. This is when a barrister will have a set rate they charge for each hour of work they do. They will then keep track of how many hours of work they have done, and this will be the final cost.

Below we provide estimates based on the ranges of fixed fees and hourly rates for barristers in Outer Temple Chambers, where the deceased person's estate is worth less than £300,000. All fees **exclude** VAT (where applicable).

Stage of Case

Written advice on making or defending a claim

Range of fixed fees (estimate) - £2,000 - £6,750 (exclusive of VAT)

Range of hourly rates (estimate) - £175 - £450 per hour (exclusive of VAT) approximately 12-15 hours.

Contact Us

All information is correct as of March 2021, but fees are estimates only. For a quotation please contact the Practice Management Team on 020 7353 6381 (or e-mail clerks@outertemple.com). Please also contact a member of the Practice Management Team if the deceased person's estate is worth more than £300,000.