

PRICE TRANSPARENCY WORKING

FEB 2020

Price Transparency for Clients

Introduction

Ross Rogers & Co is a Firm registered with the Law Society of Scotland. The Law Society has issued guidance on what is called Transparent Pricing. This is information to be made available to clients and potential clients about fees, outlays and costs that may be incurred when instructing solicitors. The guidance is in place for all firms in Scotland that offer legal services to consumers/private clients.

Here on our website we provide some examples of pricing for the range of services we provide. These are, as required, only illustrations, not definitive costs. Some kinds of work carry a fixed fee, others are calculated by a scale or unit cost varying with the amount of time or other effort that is appropriate for the completion of the case or transaction. Over and above fees, outlays are charges and costs paid out by the Firm on behalf of the client to other companies, offices, organisations – e.g. the sheriff court, the Registers of Scotland, searching companies, local authorities and others. These charges are incurred by the client as a necessary part of the work being done. The Firm makes no margin or profit on these outlays, they are simply passed on to the client at whatever cost is charged by the organisation being paid. We have little control over those charges.

Whilst we have outlined these examples, and we hope they are helpful in describing the shape or configuration of the charges for your work, you can be sure that none of them exactly matches it except in some limited cases. Nonetheless, all work to be carried out by solicitors in this firm or any other must be preceded by a written estimate or quotation of fees, vat and outlays to be incurred or expended. This costing is part of an obligation to issue clients with Terms of Business. These are provided by us at the outset of our engagement with you.

Clients or potential clients reading this Price Transparency material should contact us for a specific and detailed estimate/quotation of fees as well as discussing the work to be done and any other preliminary matters.

Areas of work

Wills

For a basic job of consultation, advice, preparation of the single will, completion execution and storage, the fee may be in the region of £175-£200 plus vat.

Power of Attorney (Incapacity)

For a basic single POA, the fee may be £300 plus vat There may be an additional fee if a home or hospital visit is required. The outlay is currently £81, charged by and paid to the Office of the Public Guardian. The Office of the Public Guardian increases this charge, on a regular basis.

Guardianship (Incapacity)

This is a complex and very detailed court process The exact extent/amount of work cannot be specified in advance as it is dependent on so many different factors unique to each case. The Terms of Engagement letter often requires to include a time and line/hourly/unit rate charge. The charge out rate (2020) is £200 per hour.

A possible fee (based on that hourly/time and line formula) may be £3,000 plus vat.

Outlays include Sheriff Court fee psychiatric fee medical report , sheriff officers for service of application etc. This can be variable.

House purchase & sale

Purchase: Fixed fees of £600-£900 plus vat apply, depending on value.

Outlays are also based on value and can be provided.

Sale Fixed fees of £600-£900 plus vat apply, depending on value.

Outlays are, generally speaking, £200-£250.

Re-mortgage of residential property

The fixed fee for this work may be £350 plus vat. Outlays are, generally speaking, £200-£250.

Discharge of security

This is the procedure to update title deeds and have your mortgage removed.

For a basic discharge of security the fee may be £175 plus vat. The outlay is a charge of £60 payable to the Registers of Scotland.

Matrimonial Separation (settlement out of court)

When a marriage or domestic partnership breaks down there may be a range of legal matters to consider and settle. These may include property sale/transfer, sharing of financial assets and pensions, residence of and contact with children, financial maintenance. These matters, if the negotiation between ex-partners via solicitors is successful is are drafted in a legally binding Separation Agreement (contract) signed by both parties and registered. The Terms of Engagement letter often requires to include a time and line/hourly/unit rate charge.

Cost for this type of work is, typically, in a range of £750 plus vat for a relatively straightforward case, to up to £4,000 plus vat for complex and/or high value cases.

Outlays can be variable but only significant if a pension sharing order is required.

General advice and business

As general practice solicitors this Firm takes on a range of clients and cases/transactions. Sometimes the work is preliminary advice, or assistance with a minor or brief legal issue requiring correspondence with other parties or solicitors, and/or creating of legal documentation. There really is no limit to the range of needs of clients when it comes to legal services and processes.

We often offer preliminary consultation without charge for a discussion or meeting, though we reserve the right to charge for all services and advice. Some examples of miscellaneous charges:

For notarising/certifying documents a fee may be £50 plus vat £10.

No outlays.

For advising on and corresponding with a neighbour who is encroaching on a boundary the fee may be based on an hourly rate of £200 plus vat £30 per hour, but set as an initial maximum of £300 plus vat £60. No outlays.

For advising on planning for retirement, property and wealth management, succession/inheritance planning, care costs and related matters, the fee may be based on an hourly rate of £200 per hour, but set as an initial maximum of £400 plus vat.

No outlays.

Administration of the estate of a deceased person) (Executry)

It is an area where it is difficult, and often impossible, to give accurate levels of fee in advance. The Terms of Engagement often require to include a time-and-line/hourly/unit rate charge. (An independent audit is provided) It also makes a difference to the amount of work whether or not there is available a valid will signed by the deceased – more work and other costs are likely if there is no will. The work may involve meetings and consultations between the family/executor and the solicitor, collating and valuing the assets and liabilities of the estate, corresponding with financial and other institutions (e.g. banks, building societies, share registrars, employers/pension administrators, DWP, HMRC, council tax departments, factors, mortgage lenders and more), drawing court documents and forms for Confirmation (Scottish equivalent of Probate), dealing with the Sheriff Court processing the forms, ingathering the financial estate (i.e. collecting in all the money), accounting to the executor and distributing the bequests and shares of estate among beneficiaries.

There may also be a home/heritable property to sell or settle. That work is not included in this example as it is a conveyancing process (see Sale of Property above), nor is calculating and dealing with Inheritance Tax, which affects only a limited number of estates and generates considerable work.

The fee for executry work can be from £1,500 plus vat to circa £7,000 plus vat depending on the value and complexity of the financial affairs of the deceased. Very high value cases will be more costly.

Outlays may include Court fees which are increased regularly by the government. At the moment (2020) they are around £250-£300