



Estate and Probate – Sample Fees and Costs

Please note that we bill hourly. The sample pricing on these pages is for a typical straight forward estate and probate. It is not a contract or a guarantee of fees, costs, or pricing. Depending on the complexity, actual fees and costs may be higher.

Full Probate

This occurs in most situations, where the Decedent owned real estate, as well as possibly bank accounts, stocks, bonds, and vehicles.

- Average time from beginning to finalizing is approximately 8-12 months.
- Billed hourly and can range from rather straight forward to very complex
- Impossible to accurately estimate what any particular estate may cost.
- Our fees often range \$5,000 to \$12,000 and up.
- Typical court costs are approximately \$500 (up to \$6500 depending on value of assets)
- Typically, fees and costs are paid by the Estate, if Estate has funds.
- If the Estate does not involve bank accounts, we typically request an advance retainer of approximately \$5,000, to be replenished if the balance falls below \$500.

Exceptions to Full Probate

1. Surviving Spouse

Requirements for small estate proceeding (instead of full probate):

1. The Surviving Spouse and the Decedent are Residents of North Carolina, and
2. All of the Decedent's real estate is titled jointly with the Surviving Spouse, and
3. All of the Decedent's personal property is valued at a total of less than \$60,000, and
4. The Decedent died less than a year ago,

Then, we can often handle a simplified estate process for the surviving spouse.*

(*If all of these conditions are NOT met, we will probably need to do a full probate estate.)

- Our average attorney fees: \$500 for preparation of the court paperwork
- Average court costs: \$20-\$50
- Does not include actually handling the asset transfers (such as vehicle title costs)
- Does not including going to the DMV or bank, etc, for the client.

This fee must be paid in advance, as the Estate will not have any funds.

2. Special Real Estate Only Process

Occasionally, we can handle a small proceeding when there is only real estate, when:

1. The Decedent did not own other assets requiring transfer, and
2. The Decedent did not owe any bills at death, and
3. More than two years have passed since death.

This does not involve having someone appointed to handle the Estate.

If Letters are needed, or there are creditors, then we cannot use this method.

- Our average attorney fees are \$750
- Typical court costs: \$30

This must be paid in advance, as the Estate does not have any funds.

When Probate Has Occurred in Another State or Another County

Ancillary Estates

This occurs when

1. The Decedent died a resident of another state, and
2. A full probate estate has been started in another state, and
3. The Decedent owned ONLY real estate in North Carolina.

This does not involve handling creditors or any other assets.

- Our average attorney fee is \$3,000
- Average court costs are approximately \$500.

This fee does not include any legal fees for handling the sale of the real estate.

- Further, this method typically vests title in the name of the heirs.
- This fee and method does NOT provide for the Executor to sell the real estate

We require payment of these fees and costs in advance, as the North Carolina estate does not have any funds.

Estate in Another County in North Carolina

This occurs when:

1. The Decedent died a resident of one county; and
2. A full probate estate has been opened in the county of residence; and
3. The Decedent owned real estate in another county.

Then, we can file certified copies of documents in the second county to transfer the real estate.

- Our average attorney fees: \$250-\$750
- Average court costs \$10-\$50
- This fee does not include any legal fees for handling the sale of the real estate.
- Further, this method typically vests title in the name of the heirs.
- This fee and method does NOT usually provide for the Executor to sell the real estate

We require payment of these fees and costs in advance, as we are only handling real estate.