



Taylor *Bracewell*

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Court of Protection fees information

If a family member or friend has lost mental capacity, you may want to step in to assist them in running their affairs. If they have not made a Power of Attorney giving you this authority, then you would have to consider making an application to the Court of Protection. For more information on this see our webpage [Court of Protection](#). There are several different types of application which can be made to the Court of Protection.

Our costs for this type of work are calculated as follows:

- Charges (other than fixed fees) will normally be calculated by reference to the time spent in dealing with your matter. This will include attendances upon you and perhaps others, time spent travelling and waiting, considering, preparing and working on papers and correspondence and making and receiving telephone calls. This will apply until or unless an alternative fee arrangement has been agreed and confirmed in writing by us. If a fixed fee arrangement is applicable, then all of the above will be included in that fee.
- Current hourly rates of charge (exclusive of VAT) within our Wills, Probate and Trusts Department are as set out in the terms of business. They currently range from £180 - £225
- Letters of a routine nature and telephone calls of a routine nature, made and received, will be charged as units of one tenth of an hour. Other letters and calls will be charged on a time basis.
- Fixed costs for the work necessary to obtain a Court of Protection Deputy Order are agreed from time to time between the Court and the Law Society. At present the fixed costs are £950 to which are added VAT and expenses.
- If the amount of work we do exceeds the fixed costs limit and we are unable to agree we reserve the right under the Court's procedures to request the Court's Costs Officer to carry out a detailed assessment of our costs rather than accept the fixed costs referred to above. In that event the Court fee on assessment will be payable and we will contact you regarding any additional costs assessment charges before they occur.

The fee includes:

- An initial interview to obtain your instructions and obtain information from you relating to the patient, their family and their finances
- Advice about the various different options available to you
- Completing all necessary Court forms to make the application and sending these out for your approval
- Writing to the patient's doctor for a mental capacity assessment

- An appointment to see you to go through the application forms and arranging for them to be signed
- Making the application to the Court
- Serving notice on all relevant parties (or advising you on how to do this if required)
- Advising you on the Deputy's security bond
- Providing you with a copy of the sealed order for your own retention

What is not included:

- Dealing with any Court hearings that may be set (very rare)
- Dealing with any challenges to the application

Disbursements

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|-------------------------|--------------------------------------|
| Court fees | £385 |
| Doctors capacity report | average around £200 + VAT |
| Security bond | vary depending on assets patient has |

Time scales

The whole process can take around 6 months to complete, if the asset information is available and the application is not challenged.

Home Visits

Home visits are available. Please telephone our office to discuss your needs.

Charges may apply.