

SAMPLE
PROBATE FEES (CALIFORNIA)

ESTATE SIZE	PROBATE FEES (combined fees for executor & attorney)
\$100,000	\$8,000
\$200,000	\$14,000
\$300,000	\$18,000
\$400,000	\$22,000
\$500,000	\$26,000
\$600,000	\$30,000
\$750,000	\$36,000
\$1,000,000	\$46,000
\$1,200,000	\$50,000
\$1,500,000	\$56,000
\$2,000,000	\$66,000
\$3,000,000	\$86,000
\$4,000,000	\$106,000
\$5,000,000	\$126,000
\$6,000,000	\$146,000
\$7,000,000	\$166,000
\$8,000,000	\$186,000
\$9,000,000	\$206,000
\$10,000,000	\$226,000

Estate Planning

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PROBATE FEE SCHEDULE FOR “ORDINARY” SERVICES

(combined fee for executor and attorney)

8% of the first \$100,000
6% of the next \$100,000
4% of the next \$900,000
2% of the next \$9,000,000
1% of the next \$15,000,000

FEES BASED ON ENTIRE VALUE OF PROPERTY: These fees are based on the TOTAL amount of the inventory. Mortgages or other encumbrances or obligations on estate property are NOT deducted in determining the value of the estate for the purpose of computing the fees. For example, if the deceased's estate consists of one asset—a home with a Fair Market Value of \$1,000,000 but also with a \$900,000 mortgage—probate fees would be a percentage of the entire \$1,000,000, not the \$100,000 equity. Thus, in this example, probate fees would be \$46,000 or 46% of the equity. Additionally, there may be charges for “extraordinary” services (see note below).

ORDINARY VERSUS EXTRAORDINARY SERVICES: “Ordinary” services are the common or ordinary services rendered by the executor or attorney. All other services are “extraordinary,” and may include, for example, the following: (1) sales or mortgages of real or personal property; (2) contested or litigated claims against the estate; (3) the good faith defense of a will that is contested after the will is admitted to probate; (4) the successful defense of a will that is contested before the will is admitted to probate; (5) preparation of estate, inheritance, income, sales or other tax returns; (6) adjustment, litigation, or payment of taxes; (7) litigation in regard to estate property; (8) carrying on the decedent's business pursuant to court order; and (9) any other litigation or special services that may be necessary to prosecute, defend, or perform.

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