



**Spring 2025**

# **Entitlement**

**De-risking the estate  
administration process**

***Plus:***

- **The state of legal marketing in 2025**
- **Genealogical research fees**
- **The consequences of advertising  
missing beneficiaries**



# Entitlement

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# Welcome to the spring 2025 edition of Entitlement

Welcome to the spring edition of Entitlement, our industry magazine for Solicitors and legal practitioners.

We're pleased to feature two guest articles within this edition. The first being an article from CLSQ's **Head of Estate Admin and Bonds, Dee McKenna**. Dee takes a deep dive into the critical role that estate administration professionals play in de-risking the probate process. She highlights the pressing need for robust solutions to safeguard both the legal professionals and beneficiaries involved within the rising number of contentious Wills, probate disputes, and Trust enquiries we are currently seeing. As the transfer of wealth continues to shape future generations, the lessons shared in this article are essential for anyone involved in estate administration looking to ensure that the process is carried out with the utmost care and protection. Dee's expertise in this area brings clarity to the evolving landscape of estate administration, offering best practices and innovative solutions that can help firms navigate this increasingly complex environment.

Our second guest article comes from **Tom Stansfield, Founder** of Legal Growth. He explores the transformation the legal industry is currently undergoing, at the heart of which is the growing recognition that effective marketing is no longer just a supplementary function - it's a driving force behind the success and growth of law firms. In this insightful piece, Tom explores the key trends reshaping legal marketing, from the increasing investment in digital channels to the rising importance of SEO, content marketing, and CRM systems. He references the *Legal Growth Marketing Report 2025*, which sheds light on the fact that law firms are starting to embrace marketing as a strategic cornerstone of their business models. He shows that in an ever-competitive legal landscape, firms that clearly differentiate themselves through consistent branding and thought leadership are reaping the rewards in terms of trust, engagement, and growth.

Our third article discusses how essential understanding fee structures is when it comes to instructing a professional genealogist to trace missing heirs or conduct genealogical research. For Administrators of an estate, Personal Representatives, and legal professionals, the choice of pricing model can have significant implications, both financially and in terms of transparency. In this article, Title Research breaks down the three most common fee structures - contingency, time & expense, and fixed fees - to help you navigate the pros and cons of each in order to make an informed decision based on their specific needs.

Finally, we draw this edition to a close with an article deliberating the risks associated with advertising for missing beneficiaries. In particular, how placing such ads can feel like a seemingly simple step to locating individuals, but can in fact impact the application for Missing Beneficiary Indemnity Insurance whilst complicating the estate administration process and the timely distribution of assets. The article provides a clear understanding of how to navigate these challenges and avoid unnecessary complications.

I hope you're enjoying the warmer weather and longer days this spring! As ever, should you wish to contribute to any future editions of Entitlement, please do get in touch.



**Anthony Allsopp,**  
**Head of Business**  
Title Research

# De-risking the estate administration process

By **Dee McKenna**

**Head of Estate Admin and Bonds, CLSQ**



**Dee McKenna,**  
**Head of Estate**  
**Admin and Bonds**  
CLSQ

Dee McKenna brings a wealth of experience in the probate and estate administration sector, from a career of collaborating with Solicitors, brokers, IFAs, and other legal professionals to support clients through the often complex estate administration process. Dee is passionate about ensuring clients are informed from the outset, particularly around the risks faced by Executors, Personal Representatives, and beneficiaries.

The UK's fast ageing population will bring much societal change in the years to come. Those over 65 will account for over 20% of the population by 2030, rising to 21.8% by 2034 (1).

As the UK populations get older, focus on the redistribution of wealth accumulated through generous pension schemes and economic conditions the UK may not see again, becomes more significant and increasingly important to younger generations.

Last year, just 38% of the population confirmed they had a Will (2), although with age that average rises steeply to 85% of adults aged 65 and over. As the number of firms writing this business dropped below 6,000 for the first time last year, demand will inevitably simultaneously rise for Wills.



## The opportunity

One area of estate administration bucking the consolidation trend is contentious Wills, probate and Trusts. The Law Society in England and Wales reports the number of providers offering advice in these three areas more than doubling since 2018.

The rise in firms reflects the increasing number of disputed Wills, contested probate and Trust enquiries, with the number of firms dealing with the latter rising 51% to 197.

Britain's decades-long wealth boom fuelled by house prices began being passed down to children and grandchildren in record amounts since the 2010s (3). Set against the backdrop of a volatile economic climate including the 2007/8 credit crunch, the pandemic, and the cost-of-living crisis, expectations surrounding inherited wealth are entering a more combative era among beneficiaries.



## Best practice: De-risk the process

Beneficiaries are increasingly asking for the early release of all, or a portion of the estate funds due to outstanding debts or other financial pressure. No amount of due diligence checks can definitively protect the professional, the Executor, and the beneficiaries to de-risk compliance with this request.

At CLSQ, we offer estate administration insurance that offers a protection against many of the hazards associated with probate. If Legal Representatives offer a checklist of insurance options to beneficiary(ies) at the outset, firms can protect all parties involved against a raft of due diligence liabilities.

Section 27 of the Trustee Act 1925 insurance covers a late claim from a third party with a financial interest in the estate. This allows for earlier dispersal of funds without the placement of/or expiry of a Section 27 notice.

Probate funds may also be paid out more speedily if a client chooses Early Distribution (Unknown Dependents) Insurance. This covers the liabilities of all parties if the estate is partially or fully distributed, even if a dependent makes a claim which is later upheld in court.

Protection is also available to cover missing Wills in instances where an estate has already been distributed but the legal document is later found. Missing Will Insurance indemnifies the Personal Representative, Executors, and beneficiaries of the deceased against a later claim on an estate, including where an intestate estate has been distributed following the rules of intestacy, or in cases where a testate estate has been distributed using a valid Will, but a later Will is found which alters the distribution.

If a share certificate has been lost or destroyed, there's cover that offers both countersign and shareholder indemnity to protect either the registrar or shareholder in the event of a third-party claim. Equally, at CLSQ we offer a Will Register Search backed by a comprehensive database able to geographically target Wills appearing as seemingly unregistered, and place a notice on a missing Will noticeboard.

Financial pressures are placing greater emphasis on the transfer of inter-generational wealth and, with increasingly complex family structures, the potential for the dispute of Wills is growing. For Solicitors involved in this area, the message is clear – there's a risk in deploying your role, but there is also cover available to protect both you and your clients from this risk.

[Click here to learn more about the individual policies](#)



## Notes

- (1) [UK Wills, Probate & Trusts Market 2024](#): Market Trends Report, December 2024: Executive summary, page 6
- (2) [Wills and Probate Research Report 2024](#)
- (3) [The intergenerational wealth transfer](#)

# The state of legal marketing in 2025: Key insights from the legal growth marketing report

By Tom Stansfield  
Founder, Legal Growth



Tom Stansfield,  
Founder

Tom Stansfield is a seasoned marketer, entrepreneur, and business growth specialist with over 15 years of experience. He helps ambitious businesses scale through strategic marketing, branding, CRM implementation, website design, and social media. He's the author of 'Success-ion - 101 Tips to grow your estate planning business' and regularly shares insights through his blogs and webinars. Learn more at [www.tomstansfield.co.uk](http://www.tomstansfield.co.uk).



LEGAL  
GROWTH

Marketing has long been a challenge for law firms. Traditionally reliant on referrals and reputation, many firms have struggled to embrace modern marketing strategies. But the *Legal Growth Marketing Report 2025* highlights a clear shift, firms are beginning to recognise marketing as a fundamental driver of business growth.



## Digital marketing: No longer optional

One of the most striking findings from our report is that 82% of law firms now invest in digital marketing. However, while investment has grown, execution remains inconsistent. Only 43% of firms have a defined marketing strategy, with many still adopting a reactive approach.

Social media continues to be a key route to market, but not all firms are using it effectively. LinkedIn remains the dominant platform, with 76% of firms actively engaging, while platforms such as Instagram and TikTok see lower adoption rates. Interestingly, firms that post on LinkedIn at least twice a week report significantly higher engagement and lead generation.



## The importance of SEO and content marketing

Despite an increasing reliance on digital channels, only 37% of law firms have an active SEO strategy, and even fewer (22%) invest in regular content marketing. This is a major missed opportunity. Firms that prioritise SEO and content creation see an average of four times more website traffic and three times more inbound inquiries compared to those that don't.

Those that do engage in content marketing are seeing success, particularly when combining articles, video content, and thought leadership pieces. Short-form video is proving particularly effective, with law firms using video seeing engagement rates 60% higher than those relying solely on text-based content.



## CRM and data-driven marketing

Data is playing a bigger role in legal marketing, yet adoption of CRM systems remains low, with just 29% of firms utilising a CRM to manage client relationships and marketing efforts. The firms that do embrace CRM tools report significantly better client retention and conversion rates.

The firms leading the way in marketing are those using data to make informed decisions. Marketing teams that track and analyse their results are 70% more likely to see a positive ROI from their efforts. Yet, a large proportion of firms still do not measure key metrics such as conversion rates, cost per lead, or return on advertising spend.



## The rise of brand positioning

Another trend gaining traction is the importance of brand positioning. Firms with a clear brand message and consistent visual identity outperform those without by a considerable margin. 65% of firms that reported strong growth over the past year attribute part of their success to brand consistency and differentiation.

With increasing competition in the legal sector, firms must do more to stand out. The days of simply listing legal services on a website and hoping for the best are long gone. Firms that actively position themselves as thought leaders and specialists in their field see higher levels of trust and engagement from potential clients.



## What this means for law firms

The message from the *Legal Growth Marketing Report 2025* is clear: marketing is no longer an afterthought, it's a crucial driver of business success. Firms that embrace digital marketing, invest in SEO and content, leverage data, and build a strong brand will be the ones that thrive.

At Legal Growth, we've seen firsthand how firms that adapt to these trends achieve sustained success. The legal sector is evolving, and those who fail to prioritise marketing risk being left behind.

The good news? There's still time to take action. The question is: will your firm embrace the opportunity?

# Useful guides

We regularly share our specialist industry knowledge through informative literature. They are an excellent resource to stay up to date with the latest industry insights.

To view all of our available guides, [visit our collection here.](#)



## The estate administration timeline

This guide explores what is involved in the key stages of the estate administration timeline, the risks that may present themselves, and what tasks can be outsourced to a specialist to make administering the estate easier.

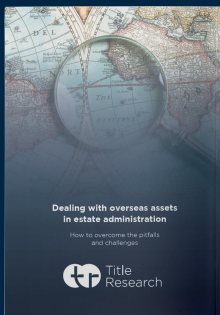
[DOWNLOAD NOW](#)



## Eliminating risk on intestacy

Intestacy always makes the estate administration process more complicated but there are steps you can take to eliminate the risk to you and your client. Therefore, we have created this handy guide to highlight how you can protect the estate from misdistribution.

[DOWNLOAD NOW](#)



## Dealing with overseas assets in estate administration

Dealing with overseas assets can be complex as each country has different rules, forms and processes to navigate. The guide shares how you can overcome the pitfalls and challenges.

[DOWNLOAD NOW](#)



# Genealogical research fees: Fixed, contingency or time and expense?



## Title Research

Choosing the right fee structure is crucial when instructing a professional genealogist to trace missing heirs or conduct genealogical research. Clients - whether Personal Representatives (PRs), legal professionals, or Estate Administrators - must weigh up the cost implications, transparency, and fairness of different pricing models. This article explores the three main fee structures in genealogical research - contingency, time and expense, and fixed fees - highlighting their advantages and drawbacks.



### Contingency fees: A risk vs. reward approach

A contingency fee arrangement means the genealogist undertakes research at no upfront cost and is paid a percentage of the beneficiary's inheritance once located. While this model minimises financial risk for Estate Administrators, it can lead to disproportionately high fees, particularly in large estates. Heir hunters are more commonly known to use this pricing model.

#### Key considerations include:



#### High percentage charges

Industry estimates suggest an heir hunter typically charges around 20% of an individual's inheritance. For example, a beneficiary expecting £80,000 may see £16,000 deducted as a research fee.



#### Lack of transparency

If the PR agrees to a contingency fee without consulting known beneficiaries, disputes may arise later when heirs realise how much has been deducted.



#### Unnecessary costs for straightforward cases

Advances in genealogical research mean most missing heirs can be traced efficiently, making high contingency fees disproportionate in many cases.

#### Alternative perspective

Fixed fees or time and expense pricing provide a fairer and more transparent approach, ensuring costs reflect the actual work undertaken rather than the estate's value.



## Time and expense fees: Flexible but uncertain

A time and expense model charges based on the number of hours worked and any incurred expenses. This method is widely used in the legal sector and provides a direct link between cost and effort. However, it can lead to uncertainty about final expenses.

### Pros and cons



#### Costs reflect effort

If the research is straightforward, costs remain low

#### Adjustable budgets

Personal Representatives can set a budget and monitor spending

#### Unpredictability

Without a clear estimate, final costs can escalate

Experienced genealogists mitigate this uncertainty by providing realistic budgets before starting work and updating clients on progress. If costs exceed the initial estimate, clients can decide whether to proceed with additional spending.



## Fixed fees: The transparent solution

Fixed fees offer a clear, upfront price for genealogical research. This ensures that Estate Administrators and beneficiaries know exactly what to expect, avoiding unexpected costs and disputes.

### Benefits of fixed fees:



#### Complete cost transparency

No hidden fees, even if the work takes longer than expected.



#### Preserves estate value

Ensures more money remains in the estate for beneficiaries



#### Predictable budgeting

Fixed pricing provides peace of mind for Personal Representatives.



## Why Title Research advocates for fixed fees or time and expense

At Title Research, we believe pricing should be based on the work required, not on the estate's value. That's why we do not offer contingency fees. Instead, we offer:

- Fixed fees for transparency and predictability;
- Time & expense pricing with a set budget for flexibility and control.

For example, **we trace missing beneficiaries in the UK for a fixed fee** - regardless of the estate's size or the beneficiary's entitlement.

“

*Finding missing beneficiaries in the UK as part of probate and estate administration work has a very high success rate and has got easier in recent years. Contingency fees are framed as fair due to the perceived risk undertaken but having carried out this work for over 60 years, we know that it is unlikely we can't find someone in the UK and so a contingency arrangement isn't truly contingent and often, in our view, isn't fair. For most UK cases, we would not expect to incur more than 2-3 hours of billed time, which is why we offer a **fixed fee of £450** plus VAT and disbursements.*

”



**Anthony Allsopp,**  
Head of Business  
Title Research



## Make an informed decision

Choosing the right fee model depends on the complexity of the case, budget considerations, and the level of transparency required. While contingency fees may seem attractive due to their 'no win, no fee' appeal, they often result in excessive charges. Fixed fees and well-managed time and expense models offer a fairer, more transparent approach.

The only downside is that if the work requires less effort than anticipated, the client still pays the agreed fee. However, reputable genealogists set competitive prices that accurately reflect the work involved.

If you're interested in finding out more about Title Research's genealogical research services, call our team on 0345 87 27 600 or email [info@titleresearch.com](mailto:info@titleresearch.com).



# The consequences of advertising missing beneficiaries



## Title Research

Locating missing beneficiaries is an essential task in estate administration. Professional genealogists employ various tools and methods to trace these individuals. However, if research proves inconclusive, it may be necessary to obtain Missing Beneficiary Indemnity Insurance. This blog explores the consequences of advertising missing beneficiaries and discusses why placing adverts for missing beneficiaries can complicate the process.



### The risk of advertising missing beneficiaries

Advertising missing beneficiaries may seem like a straightforward solution, but it can have significant implications. Placing an advert puts the estate or legacy in the public domain, potentially for many years. This can complicate applications for Indemnity Insurance, as the advert becomes an unanswered enquiry. Insurers may require a specific period to elapse before they will consider starting cover.



*If speculative adverts are placed and no responses are received, insurers will typically wait for a period of at least six months to pass before providing cover. This is to allow the recipient, or indeed their successors, sufficient time to respond. It is therefore important to consider whether this might affect the proposed distribution of the estate and in particular the likely distribution timeline*



**Jeff de-Rhune,**  
**Director of Trust, Probate & Estate**  
Trust & Probate Insurance



## The importance of Indemnity Insurance

Obtaining Missing Beneficiary Indemnity Insurance is crucial when a beneficiary cannot be located.

### Insurers typically request:



**A full report from a genealogist familiar to them**



**A copy of the Grant and Will**



**Copies of any s27 notices that have been placed**

It is vital that no actions are taken that could prejudice the insurance application or delay cover inception.



## Reports accepted by insurers

When engaging a genealogist, ensure that their research methods align with insurer requirements. Title Research's genealogical research methods are conducted with insurance considerations in mind. Should we be unable to locate the missing beneficiary, we liaise with insurers to obtain a quote on your behalf, allowing you to close your case file efficiently.



## Conclusions

While adverts for missing beneficiaries might seem beneficial, the consequences of advertising missing beneficiaries can delay the estate administration process. Always consider professional genealogical research and consult with insurers before taking any steps that could impact the distribution timeline.

Our missing beneficiary service guarantees results and can save you a substantial amount of time and effort. With our experience of locating thousands of beneficiaries each year, we know just where to look and focus our efforts. [Click here to find out more about Title Research's tracing missing beneficiaries service.](#)



## Would you like to be featured in the next edition of Entitlement?

We would love to hear your idea for a guest article on  
your area of expertise.

If you would like to contribute to Entitlement,  
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