

ESTATE MANAGEMENT

Probate and Trust Litigation

An attorney with more than twenty years of varied litigation experience heads our probate and trust litigation practice precisely because assiduous representation tops our agenda. Working closely with estate and trust attorneys, he ensures our clients the vigorous representation they deserve in matters impacting themselves, their rights or their families.

Probate court is a forum for contesting or establishing the validity of wills. There, claims for or against decedents are filed, challenges to their competence are mounted, attempts to collect their assets or to pursue their rights occur and charges of improper influence are resolved. In each situation assertive representation is mandatory and experience in conducting this specialized litigation critical. When there are no creditors or estate taxes due, probate is swift, transferring assets to the intended beneficiaries quickly. Often, though, probate is slow, especially cumbersome when the estate is taxable under federal estate and gift tax laws. For this reason, tax attorneys also staff our team.

Although trusts do not involve probate, some require construction or enforcement by a court. When handling such a suit, we ask the judge to interpret and often implement a particular term or section of the trust. Frequently we represent trustees, usually banks, seeking the court's direction on how to administer an ambiguously worded trust or one whose application is in doubt following changes in circumstances.

Adoption and guardianship matters also demand the strength and sensitivity our litigation team provides. Representing families adopting American- or foreign-born children is among our most rewarding work; handling guardianships is among the most humane. In probate court we establish guardianships for minors and incompetent adults, petitioning on behalf of wards or their families and representing guardians administering the estates of their wards.

Compassionate yet aggressive, our litigation team is skillful in navigating probate, proven in action, prepared to assist: just call.

Wary of the probate system, many clients utilize trusts to avoid the time and expense of going to court; yet for those who cannot avoid probate, quality representation can ensure a swift and satisfactory outcome.

**ATTORNEYS IN
THIS PRACTICE AREA**

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