

TRUST AND PROBATE DISPUTES

Expertise

Due to increasingly complex domestic arrangements, economic change and a greater awareness of the law by the public, there has been a significant increase in trust and probate disputes in recent years. Our Dispute Resolution team has expanded in response to this growing demand. Acting for a wide range of clients, including trustees, executors and beneficiaries, as well as individuals making claims against estates, we have extensive experience of avoiding and resolving disputes as diverse as:

- post-death disputes concerning wills and intestacies
- calling executors to account and, if necessary, removing them
- trustee disagreements
- beneficiary disputes

Clifton Ingram LLP is one of the few law firms able to offer a team with the expertise and knowledge required in this specialist area of law.

Disputes of this nature benefit from the involvement of practitioners with the technical knowledge of a non-contentious trust and estate practitioner and those familiar with the Court process and litigation. Our team draws on the expertise of both contentious and non-contentious lawyers. We are therefore able to draw on resources with the appropriate skills to meet the needs of our clients.

Our Work

Our work is varied and our experience extensive. Clients seek our advice on all kinds of matters, including:

- Inheritance Act claims (where the Will or the position on intestacy fails to provide properly for the claimant)
- claims regarding lack of testamentary capacity in the signing of Wills
- claims regarding undue influence in the signing of Wills
- claims regarding improper signing of Wills
- interpretation of the terms of a Will
- claims regarding agreements made with the deceased before death, particularly with regard to the disposal of the estate, including 'mutual' Wills
- disputes over the identification of beneficiaries
- claims for and against executors and trustees
- trusts and charity disputes
- claims relating to enduring powers of attorney and lasting powers of attorney

Our Approach

The Dispute Resolution team appreciates that it is important to identify objectives and devise a strategy at an early stage of any claim and to evaluate risk and costs. We will advise you of costs and funding, time scale and probability of outcome so that you can make informed and commercial decisions.

Communication is an important part of the process and we will keep you regularly updated throughout any dispute. We are client focused and will act quickly to achieve your objective.

Alternative Dispute Resolution (ADR)

ADR is an informal alternative to litigation and an attempt to overcome the expense, acrimony and frustration of conventional litigation. There are a number of different approaches depending upon the type of dispute, the nature of the parties and how important the dispute is to them. The most common form of ADR is mediation and the team has within its number a qualified mediator accredited by ADR Group, one of the original and largest mediator providers.

For more information please contact

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