

Resolving trust and estate disputes

Taylor Wessing's specialist team aims to help trustees, executors and beneficiaries to resolve trust and estate disputes.

Our approach

As a market leader in the private client field we place emphasis on providing co-ordinated advice that caters for all the needs of our private clients and their advisers – be they tax, estate planning, residential property or family law. This approach extends to dispute resolution advice that may be required by trustees, executors and beneficiaries. Such disputes call for specialist handling which we provide in our Trust and Estate Disputes Group.

The Trust and Estate Disputes Group brings together litigation specialists and experts in the fields of trusts and estates. The Group is led by Steven Kempster, a partner who has a considerable track record in the field and is rated in the Chambers and Legal 500 directories. Steven is a member of ACTAPS, the association of trust and estate litigation specialists and has lectured in the UK and abroad on dispute resolution relating to trusts and estates.

We aim to diffuse conflicts at an early stage but where this proves impossible, subsequent court proceedings are handled cost effectively with the aim of protecting our clients from the unexpected and achieving the best possible outcome.

Our experience

The Group has been involved in a wide range of trust and estate disputes both in England and Wales and in other jurisdictions including:

- Inheritance Act claims
- Testamentary capacity and undue influence
- Attacking and defending asset protection trusts
- Trustee mistake including rectification, rescission and Hastings-Bass principles
- Breach of trust
- Removal of trustees and executors
- Charity proceedings
- Court of Protection issues

We are accustomed to working closely with professionals in other disciplines and jurisdictions and can assist in making referrals where necessary.

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