

Inheritance and trust disputes

Sometimes family inheritance can become problematic if there is no will or if family disputes emerge after the death of a loved one. For some, if you think that the will is unfair, contesting it may feel like the only choice. Where no will exists, family inheritance entitlements are governed by the rules of intestacy.

We regularly act in cases involving matters such as:

- claims for promises made by the testator (proprietary estoppel)
- challenging the validity of wills
- applications to rectify wills
- claims under the Inheritance (Provision for Family and Dependents) Act 1975
- challenging the actions of executors in the administration of an estate
- claims for the removal of executors and other personal representatives and trustees
- trust disputes
- applications to the Court of Protection.

Respecting relationships

Every case is different: while some require a robust approach, disputes of this sort are often extremely sensitive, many involving family relationships. Our experienced lawyers approach matters in an understanding, practical and sympathetic way.

An eye to cost

The court's approach to costs in cases of this type tends to differ from other litigation. We do everything possible to protect our client's position, ensuring that cases are resolved, taking account of costs and the value of the estate.

Early resolution

We will often advocate the use of alternative dispute resolution (ADR) as an effective means of achieving an early resolution. In cases of this nature, opposing parties will often resist settling until the alternative is made very clear to them. We have a tremendous success rate with ADR and have an accredited mediator in our team.

Our expertise

Our team includes members of STEP (Society of Trust and Estate Practitioners) and ACTAPS (the Association of Contentious Trust and Probate Specialists), experts who are, by definition, the most experienced and senior practitioners in the field of trusts and estates and related disputes.

Contact

Please contact either of the partners in our litigation/dispute resolution or wills, probate & trusts team:

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