



Hanson Bridgett Practice Group Trust & Estate Litigation

Hanson Bridgett's Trust and Estate Litigation Group is uniquely qualified to represent fiduciaries and beneficiaries in all types of disputes. Our Group combines the advocacy skills of experienced trial lawyers with the specialized tax and administration knowledge of our estate planning and probate attorneys. This integration of litigation and planning administration resources gives the Group unsurpassed ability to analyze and address every aspect of trust and estate litigation.

We regularly represent both charitable and individual beneficiaries under trusts and wills, corporate and individual trustees of charitable and family trusts, executors of estates, fiduciaries' counsel, and persons with claims against trust or probate estates. We have experience in:

- Will and trust contests
- Proceedings to interpret ambiguous provisions
- Defense and prosecution of breaches of fiduciary duty
- Elder financial abuse claims
- Estate planning and administration legal malpractice litigation
- Actions to remove fiduciaries
- Disputes concerning no-contest clauses
- Suits to invalidate gifts to "prohibited transferees" under Probate Code §21350
- Cy pres actions
- Claims arising out of third-party transactions with decedents and fiduciaries

Additional Experience

We have extensive experience representing charities to preserve their bequests and to set aside invalid instruments that would deprive them of gifts they should receive. Our attorneys have litigated numerous issues concerning the validity of donative transfers, including due execution, testamentary capacity, undue influence, fraud, mistake, drafting attorney's conflicts of interests, prohibited transfers under Probate Code §21350 and forgery. We have successfully litigated several such cases through trial and at the appellate level. We also have assisted our clients in achieving favorable settlements in multiple other cases.

We are acutely aware of the financial and emotional impact that trust and estate disputes have on institutions and families alike. We therefore maintain a close working relationship with each of our clients throughout the litigation process to ensure that we understand their priorities and involve them in important strategic decisions. Together, we actively weigh the risks and benefits of the available alternatives. We also recognize the significant burdens imposed on fiduciaries today. We not only have the qualifications to litigate aggressively in that area, but also to resolve disputes without resort to the courts and to provide advice that prevents disputes. When representing a corporate fiduciary, we enjoy working closely with in-house counsel to achieve the institution's goal.

Controlling litigation costs is a necessity. We provide added value with our expertise in employing the means for sharing or shifting those costs whenever possible. From the start, we identify whether a group of beneficiaries exists with sufficient common interests to warrant joint representation. We are also pro-active in preserving and protecting fiduciaries' ability to have a trust or probate estate pay their legal expenses or, when representing beneficiaries, preventing the estate's depletion through the payment of attorney's fees.

The integration of litigation and planning administration resources gives our attorneys unsurpassed ability to analyze and address every aspect of trust and estate litigation.

Similarly, our insight into the tax ramifications of any disputed matter-another function of the synergy between our trial lawyers and estate planning and probate attorneys-sets us apart. In resolving disputes, we not only seek to negotiate the most beneficial substantive terms, but also to structure settlements to maximize tax savings. Our effective use of these tools has often been critical in achieving favorable results for our clients.