

# *Contentious Trust and Probate Disputes*



**Disputes relating to Wills and Probate are on the rise. The latest figures from the Chancery Division show that 106 contentious probate actions were heard in 2008-9, compared to just 73 in 2006-7, an increase of 45%.**

This is due in part to the ageing population, meaning it is more likely that testators will suffer from illnesses such as dementia which affect their testamentary capacity and also because of the increasing diversity in the set-up of families.

We have a team of lawyers who are able to offer the essential specialist knowledge that parties to these types of disputes require at highly competitive rates. The team has many years experience in this area of work and includes a member of the Association of Contentious Trusts and Probate Specialists.

## **Our recent experience includes:**

- *Acting for the family of an elderly widow and overturning her last Will in the High Court on the basis that she lacked testamentary capacity and did not know and approve of its contents*
- *Acting for the widow of a QC who died intestate and successfully securing a lump sum payment to the widow of £2m under the Inheritance (Provision for Family and Dependants) Act 1975*
- *Applications in the Probate Registry and High Court for the removal of a Personal Representative who was causing serious delays and losses in the administration of the estate*
- *Advising the beneficiaries of four trusts in relation to their potential claim against the trustees for selling valuable development land at an undervalue*

Advocacy can be undertaken in-house or through our external specialist counsel, whichever suits the case and your needs best.

## **Who to contact**

If you think that our Contentious Trusts and Probate Team could be of assistance to you or your clients, please contact Lucinda Rowley on 01223 532721 or email [lucindarowley@hewitsons.com](mailto:lucindarowley@hewitsons.com).



## About Hewitsons

We're not your average law firm and we're proud of that fact. With Hewitsons, you enjoy everything you'd expect from a long established practice but with a modern, much friendlier approach. We always work that little bit harder to get to know you, which makes all the difference to the results you get.

Businesses flourish because of their ability to adapt and we're no exception. We have evolved and continue to do so, to ensure that we give you a range of specialist services, across all sectors in one integrated firm. We're professionals but we're people too. Our lawyers will advise you on matters large and small, in simple language you can understand.

Should your legal needs take you outside of the UK, you'll be reassured to learn that as founder members of LawExchange International, we have a global reach that extends throughout Europe, North America, Asia, South America and Australia. Simply giving you all the law you need.



## Our approach

All our legal teams take a straightforward and friendly approach to dealing with your matter and their aim is to provide the most effective solution that fits your needs.

Because the final outcome is often far from certain, our specialist teams take time to understand the dynamics of your needs in order that they can give balanced advice.

Through a combination of legal expertise and commercial acumen, we provide a high quality service in a way that suits you best – be this by phone, face to face or online. It is this mixture of skills that allows us to act swiftly and efficiently.

We value the client relationships we have and believe we have achieved this not only by providing value for money, but by adding value to everything we undertake on their behalf.

Our broad experience is shared with our clients through a program of regular updates and seminars which helps them increase their knowledge in a number of key areas.

## Our people

You can't have excellent service without excellent people so we go to great lengths to hire the very best. Hewitsons is committed to the training and development of all its people and we regard it as vital to our future. To ensure enhanced delivery of services to our clients we attained Investors in People accreditation in 1998 and have held the standard since that date.

Operating in highly specialised areas of law, our specialist teams are well known for providing the very best advice. In addition to IIP accreditation we also achieved the Law Society's practice management standard Lexcel in May 2007 which provides additional third party endorsement of our achievements.

## Our clients

Our clients are as diverse as the work we do. As one of the largest law firms in our regions, our work covers all aspects of corporate commercial and property law, as well as addressing the legal needs of charities, institutions and private individuals.

But in whatever we do for you we personalise our services to suit your needs. It's your kind of law.

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