

Contentious Trust and Probate disputes are often complex and emotionally charged. Whether the estate is large or small, we appreciate that usually your primary objective will be to dispose of the dispute as quickly and cost-effectively as possible. We actively promote dispute resolution methods such as Mediation and a good deal of the advisory work we do relates to how settlements might be structured so as to avoid costly court proceedings.

We have a team of approachable, responsive solicitors who are able to offer both the essential specialist knowledge and the creative solutions 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 three members of the Association of Contentious Trusts and Probate Specialists (ACTAPS). We cover the full range of disputes in this area and advocacy can be undertaken in-house or through our recommended external specialist counsel, which ever suits the case and your needs best.

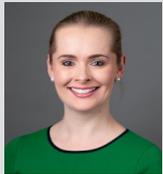
Our recent experience includes:

- 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 a widow on her husband's intestacy in her claim for reasonable provision from the estate pursuant to the Inheritance (Provision for the Family and Dependents) Act 1975 and securing at mediation a lump sum settlement of £2m.
- Applications to the Probate Registry and High Court for the removal of Personal Representatives who were causing serious delays in the administration of an estate and losses to the estate.
- Advising the beneficiaries of four trusts in relation to their potential claim for breach of trust against the trustees for selling valuable development land at an undervalue.

- Acting for a large charity legatee in its defence to multiple claims under the 1975 Act.
- Acting for the donee of a Lasting Power Attorney in an application to the Court of Protection to safeguard his elderly mother's assets from a third party where mother had lost mental capacity to manage her own affairs.
- Successfully defending a challenge to the validity of a Will brought on the grounds of want of testamentary capacity.
- Achieving rectification of a Will that failed to reflect a testator's instructions.
- Achieving settlement of professional negligence claims where mistakes in the drafting of Wills have caused beneficiaries to suffer loss.



Tiffany Benson



Associate
Northampton
01604 463340
tiffanybenson@hewitsons.com



We pride ourselves on delivering an outstanding service to a wide range of individuals, businesses and institutions including charities, educational and sports bodies. The firm's size and breadth of specialisms means each client receives the focus it requires. We operate UK wide and have worldwide reach via our network of independent law firms, LawExchange International.

This document is written as an outline guide only and any action should not be based solely on the information given here. Appropriate professional advice should always be taken in specific instances.

Hewitsons LLP is authorised and regulated by the Solicitors Regulation Authority.