Tucker Ellis LLP

Estate, Trust, and Fiduciary Litigation

Overview

Tucker Ellis's Estate, Trust, and Fiduciary Litigation team represents fiduciaries, beneficiaries, family members, closely held businesses, and financial institutions in complex, high-stakes disputes involving estates, trusts, and fiduciary relationships. Drawing on the firm's deep bench in business litigation and its proven command of estate, trust, and probate law, our attorneys are skilled at resolving emotionally charged conflicts that often involve significant assets, family dynamics, and reputational concerns.

We regularly handle matters in the probate and general division courts, arbitration, and mediation, and we are equally prepared to pursue efficient negotiated resolutions or to litigate aggressively through trial and appeal when necessary. Our approach is strategic, practical, and results-driven, with a focus on protecting client interests while minimizing disruption to family relationships and ongoing business operations where possible.

Areas of Emphasis

Will and Trust Contests: Our attorneys represent clients in disputes challenging the validity or interpretation of wills and trusts, including claims involving fraud, undue influence, lack of testamentary capacity, improper execution, gifts, and ambiguous or conflicting dispositive provisions.

Inheritance and Succession Disputes: We represent beneficiaries and interested parties in disputes over asset distribution, interpretation of estate plans, and conflicts involving family-owned or closely held businesses, including challenges to succession plans and ownership transitions.

Breach of Fiduciary Duty Claims: We defend claims against executors, trustees, and other fiduciaries for alleged mismanagement of assets, self-dealing, removal actions, failure to follow the governing documents, failure to provide required information or accountings, and related allegations of misconduct. Our attorneys also represent heirs and beneficiaries of estates and trusts to protect their beneficial interests and ensure the estate or trust is administered properly, fairly, and according to law.

Power of Attorney Abuse: We pursue and defend claims involving the financial exploitation of the elderly through the improper use of power of attorney instruments, including cases of financial abuse and unauthorized transactions. We pursue the recovery of misappropriated assets and seek to unwind wrongful conduct to protect our clients' rights and interests.