

Practices & Industries

Fiduciary and Probate Litigation

Overview

Day Pitney's Fiduciary and Probate Litigation practice group consists of litigators and trusts and estates lawyers, all of whom have extensive experience in contested trust, estate and guardianship matters.

Our attorneys handle all matters related to fiduciary, trust and probate litigation, including:

- Breach of fiduciary duty claims, defense and prosecution
- Accounting litigation
- Fiduciary removal
- Fiduciary compliance and risk management
- Will and trust controversies, including lack of capacity and undue influence claims
- Guardianship litigation and incapacity proceedings
- Trust modification, reformation and termination
- Will and trust construction proceedings
- Charitable bequest enforcement
- Cy pres doctrine actions

Our practice group is part of our Private Client department, which is one of the largest and most sophisticated in the country. We bring technical estate planning, estate administration and tax experience to all matters to give our clients an advantage in contested matters due to the depth and breadth of our knowledge. We also have experience in all forms of alternative dispute resolution as well as in state and federal appellate practice. Our attorneys are active in the drafting of trust, estate and guardianship legislation in states in which we practice. Our attorneys regularly serve in leadership positions of state bar associations and frequently lecture and publish on probate and trust litigation issues. Attorneys in the practice group are fellows of the American College of Trust and Estate Counsel. In all fiduciary, trust and probate controversies, our attorneys combine knowledge and skill gained through years of practical experience with unwavering dedication to our clients' legal needs.