

Hutchison & Steffen is a full-service law firm practicing in the following areas:

- Administrative Law
- Alternative Dispute Resolution
- Appellate Litigation
- Asset Protection & Business Planning
- Business & Commercial Litigation
- Construction Law
- Corporate & Transactions
- Creditor's Rights & Bankruptcy
- Employment Law
- Estate Planning
- Family Law
- Fiduciary Litigation
- Healthcare Professionals Advocacy
- Insurance Defense
- Landlord/Tenant
- Personal Injury
- Real Estate Law
- Trust & Probate Litigation



HUTCHISON & STEFFEN

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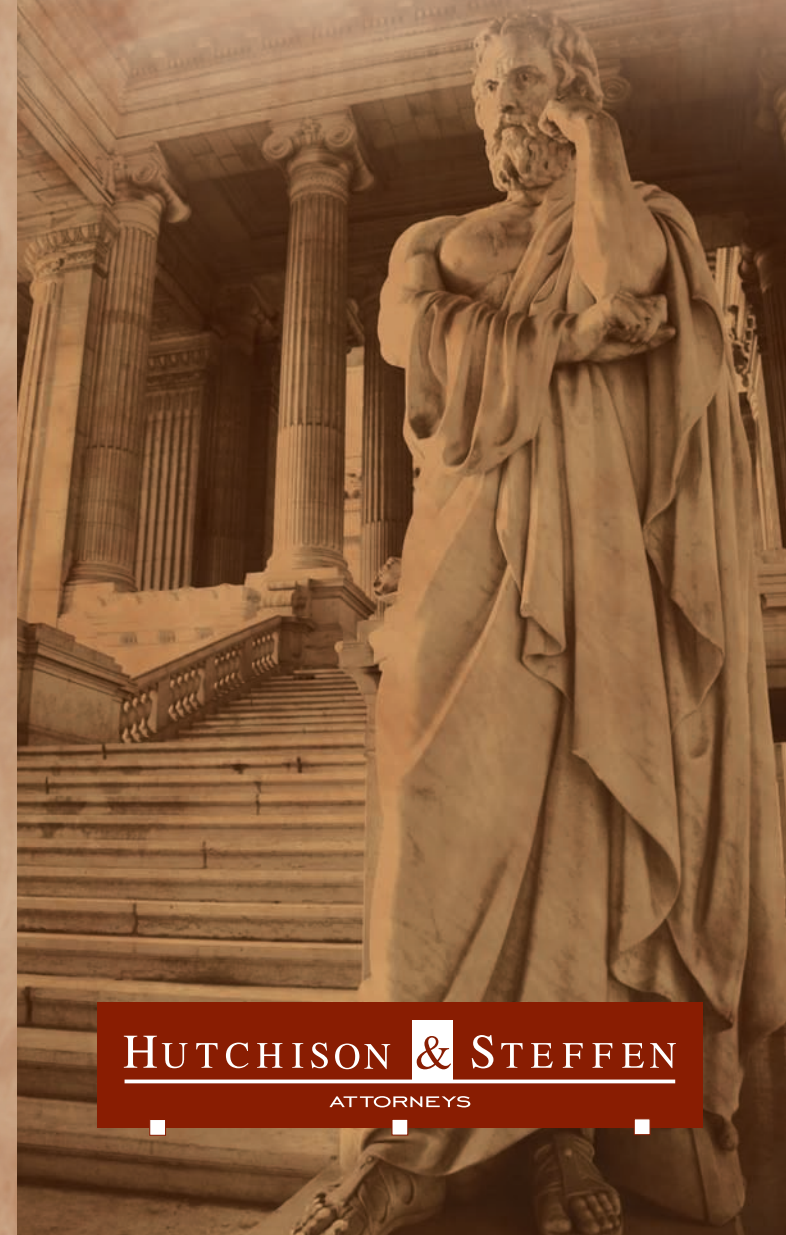
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FIDUCIARY LITIGATION



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Fiduciary Litigation

The disposition of estates and trusts sometimes results in disputes that end up in court, particularly when significant family wealth is at stake. Problems and legal issues can surface when there are conflicting interpretations of the wishes of the person who made the estate plan, or if family members have conflicting opinions about what to do with family real estate and other assets.

Probate avoidance techniques – such as trusts – which are used to pass assets at death without court supervision are now common practice. Sadly, disputes among beneficiaries and fiduciaries concerning the administration of estates and trusts are becoming more common. Fiduciary litigation is a highly-specialized area of law, often involving complex issues concerning trusts, estates, guardianships, taxes, and related matters at both the trial and appellate court levels.

Our Clients

Our fiduciary litigation practice group represents corporate and individual trustees, executors, administrators, guardians, and beneficiaries. Our practice includes the following types of legal matters, among others:

- Will and trust contests, which often involve claims that a will or trust was procured by undue influence or fraud
- Disputes over the distribution of trust or estate assets
- Trust reformations
- Guardianships
- Breach of fiduciary duty by a trustee or executor and removal of the trustee or executor
- Disputes over the exercise of powers of attorney
- Real estate partition actions

Understanding Our Clients' Needs

We listen carefully to our clients to determine their key motivations and objectives and to evaluate what family dynamics are at play.

Avoiding Litigation

Avoiding litigation is often in our clients' best interest, so we provide strategies to minimize liability. Our attorneys analyze policies and practices before problems arise and, when possible, employ proven techniques for amicable resolution of disputes before going to court.

Our team recognizes that sometimes important

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non-legal issues may be factors. We understand that fiduciary litigation often involves disputes among family members. This, in turn, can involve significant emotional issues and strains on long-time relationships. We are experienced at guiding our clients through these issues and concerns. When one of the goals is to preserve an ongoing relationship, mediation is often an effective alternative to litigation.

When Litigation Is Necessary

Successful representation in these types of disputes requires not only the skills, instincts, and experience of the courtroom lawyer, but also fluency with the law of estates, trusts, charitable organizations, and wealth transfer taxation. Our team includes estate planning and tax attorneys as well as trial attorneys who regularly confer on litigation prevention techniques. Hutchison & Steffen's fiduciary litigation practice group is comprised of attorneys with not only legal expertise, but also independent business, banking, and real estate experience. If litigation becomes unavoidable, our attorneys zealously represent our clients through well-planned and well-coordinated preparation and trial presentation. When litigation is in our clients' best interests, our seasoned team of trial attorneys aggressively enforces our clients' legal rights in court.

