JOHNSTON ALLISON HORD

FIDUCIARY LITIGATION

Unfortunately, there are times when a disgruntled family member may believe he or she is entitled to a specific asset or a larger share of an estate. Alternatively, an elderly client may be subjected to undue influence and coerced into changing her **estate plan** away from natural family members. This is when fiduciary litigation comes in.

Fiduciary litigation can involve a will contest or “caveat”, a modification or termination of a trust, or claims for surcharge or breach of fiduciary duty. **Our team** has been on both sides of these issues, and our experience helps us understand the challenges that can be presented. We embrace the opportunity to take on these cases, and we work closely with **our firm’s litigators** to produce the best possible outcome for our clients.

If you have any questions for our Fiduciary Litigation Attorneys, **contact us here**.

Please note that the above text does not constitute legal advice nor does it create an attorney-client relationship. Should you be in need of legal services regarding a particular matter, please reach out directly to one of our attorneys. ***Click here for our full website disclaimer****..*

Representative Experience

- Represented a national charity in its efforts to overturn a will procured by a health care worker while the worker was attending an elderly patient. This charity consistently had been the primary beneficiary of the estate plan for more than twenty years before the patient became ill and susceptible to influence. Fortunately, we were able to resolve the matter favorably before a full jury trial, but only because we were prepared to see the matter to completion.

Related Practices

- Asset Protection Planning
- Business Succession Planning
- Business Transactions
- Charitable Planning & Exempt Organizations
- Condemnation Rezoning & Land Use
- Construction
- Creditors’ Rights
- Elder Law & Special Needs Planning
- Employment Practices & Benefits
- Environmental
- Estate Administration
- Litigation
- Mediation & Arbitration
- Mergers & Acquisitions
- Nonprofit Entities & Tax-Exempt Organizations
- Private Equity
- Professional Services
- Real Estate Advisory Services
- Taxation

Group Members

S. Kyle Agee
Greg C. Ahlum
Michael J. Hoefling
Kimberly “Kim” J. Kirk
David T. Lewis
Lauren S. Martin
Martin “Marty” L. White
J. Nate Pierce
Thomas G. Gardner
Arya V. Koneru

- Represented a corporate fiduciary in litigation between the beneficiaries of an estate who disputed the dispositive provisions of the decedent's will, ensuring that, in serving as personal representative, the client fulfilled all of its fiduciary duties to the respective beneficiaries while also honoring the decedent's testamentary intent.
- Represented a beneficiary of a multi-generation trust in which the older generation was spending assets at a rate that would deplete the trust in a short period of time. We were able to modify and divide the trust to protect the interest of our client.