

**CONTESTED PROBATE,
WILLS, TRUST AND
INHERITANCE DISPUTES**

**A PASSION
FOR PEOPLE**

**harrison clark
rickerbys
SOLICITORS**

Contested Probate, Wills, Trusts and Inheritance Disputes

In the difficult months following the death of a loved one, a dispute relating to their Will or arising from their financial affairs is all too common. You may find yourself in a situation where you require specialist legal advice in contesting a will, objecting to the appointment of an executor, or taking action against an executor for negligence or fraud.

We have a wealth in experience representing executors, beneficiaries, dependants and those excluded from a will, dealing with all aspects of contentious probate including:

- Claims for financial provision under the Inheritance (Provision for Family and Dependants) Act 1975 where a will or the rules of intestacy fail to adequately provide for the dependants of the deceased (adults or children)
- The validity of Wills (to include where there are suspicions of undue influence or fraud, the deceased lacked capacity or there are concerns that the will was not prepared in accordance with section 9 of the Wills Act 1837)
- The removal of executors, personal representatives and trustees to include injunctive relief to prevent an executor from carrying out a particular act
- Professional Negligence Claims against solicitors who failed to properly prepare or execute the Will
- Disputes with executors (for example where an executor is refusing to administer the Estate or there is a dispute over how the estate should be distributed or managed)
- Applications to the Court of Protection
- Claims, where the actions or conduct of an executor have caused loss

Our specialist team includes members of our Private Client, Wills & Trust and Litigation Departments and include full and associate members of The Society of Trust and Estate Practitioners (STEP) and Law Society Private Client Section.

We will work together to provide expert guidance on realistic solutions for you, approaching disputes in an understanding and pragmatic manner, always taking into account the value of the estate against the costs of litigation.

We are strong believers in the use of Alternative Dispute Resolution as an effective means of achieving early and cost effective settlement and are often able to resolve dispute for our clients without becoming embroiled in protracted litigation.

We appreciate that litigation can be expensive and funding legal costs is a key issue any party involved in a dispute.

If you instruct us to pursue or defend a claim for you we will help you to find ways to cover the costs of litigation. Options may include a conditional fee agreement, fixed fees, specialist loans, third party funding and legal expenses insurance. We will assess the appropriate funding options for you (which may include working with a specialist funding broker).



Meet the Team



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- Professional negligence
 - Claims under the Inheritance (Provision for Family and Dependents) Act 1975
 - Actions against Executors
 - Alternative Dispute Resolution
 - Property Litigation
 - Will and Legacy Disputes
 - Court of Protection Disputes
 - Trust Disputes

Approach to Fees...

...**Competitive** Attractive cost base

...**Certain** We stick by our agreed costs and do not quote low with a view to increasing fees later

...**Consistent** Once agreed, it is not changed unless exceptional circumstances apply

Flexible approaches are built around our client's requirements

How we work with you...

We have an appreciation of the commercial pressures you face and our objective is to deliver outstanding all-round service. Our team is a well established, proactive, enthusiastic and highly skilled group of people. Our objective is to deliver outstanding client service and technical expertise with an experienced eye on the sound commercial realities of life.

The clock is not always ticking and we will happily invest time getting to know your team and addressing ad-hoc queries to ensure a long term mutually beneficial relationship.

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