Trusts, Estates and Probates

We advise business owners on how to reduce the income tax consequences and take advantage of wealth transfer planning opportunities.

Estate Planning

We advise clients on all aspects of estate planning, including related tax issues, the establishment of living trusts, wills, durable powers of attorney for property management, advance health care directives and incapacity concerns.

Complex Trust and Estate Litigation

We represent clients in all types of complex trust and estate litigation, such as trust and will contests, including claims based on lack of mental capacity, undue influence and caregiver and other elder financial abuse, "safe harbor" proceedings, breach of fiduciary duty, accounting and surcharge, and claims to recover property improperly transferred.

Our team of trial attorneys, estate planning, trust and estate administration experts and estate taxation offers significant and broad-based experience handling disputes involving both domestic and international trusts and estates. We also represent clients in federal and state tax controversies and litigation.

Post-Death Estate Administration

Following a death, we counsel family members, beneficiaries, executors and trustees in both non-judicial trust administration and court supervised probate proceedings. We prepare estate tax returns (Internal Revenue Service Form 706), assist with sub trust funding and advise our clients on ongoing administration and trust accounting issues.

Business Succession Planning

We advise clients on planning for the orderly generational transfer of family owned businesses, including techniques designed to minimize estate and gift taxes, mitigate capital gains taxes on sales or transfers and maximize liquidity and cash flow. Our attorneys, often working closely with Procopio’s Corporate and Securities and Tax practice groups, counsel clients on the best strategies for transferring business interests to children, grandchildren, key employees and other successors, while preserving the integrity of the business.

Pre-Liquidity Event Planning

The best time to plan for the tax consequences of the sale or initial public offering (IPO) of a business is well before liquidity. We advise business owners on how to reduce the income tax consequences and take advantage of wealth transfer planning opportunities, which may arise if a business is sold or taken public.

Wealth Transfer Planning

We offer sophisticated wealth transfer planning services, including the establishment of irrevocable gift trusts, life insurance trusts (ILIT), family limited partnerships (FLP), limited liability companies (LLC) and non-charitable split interest trusts such as grantor-retained annuity trusts (GRAT) and qualified personal residence trusts (QPRT).

Charitable Gift Planning

We assist clients with charitable gift planning, including the establishment of charitable remainder and lead trusts, private foundations, charitable gift annuities, donor advised funds and other charitable giving vehicles.

Mediation

We represent clients in all stages of complex trust and estate litigation, including mediation and other types of alternative dispute resolution methods. Our experienced team of trust and estate litigators and administrators has the background to understand complex trust and estate issues. We also have the knowledge to help resolve trust and estate disputes before they get to the courtroom.

International Estate Planning

We help our clients consolidate their worldwide assets into their estate plan. Our experienced attorneys provide wealth transfer planning, charitable gift planning, business succession planning, and international estate, gift and income tax and succession planning services for multinational families and their cross-border and international businesses, investments and assets.