

Contesting a Will or Lifetime Transfer

The foundational law, and procedural and evidentiary issues you need to know to navigate the world of disappointed heirs, aggrieved family members, and deep-seated sibling rivalry

Charles Dickens wrote in *Bleak House* that “whole families have inherited legendary hatreds” arising from *Jarndyce v. Jarndyce*, a will contest that spanned generations and led many to ruin. Welcome to the world of disappointed heirs, aggrieved family members, and deep-seated sibling rivalry. Whether it be an elder’s undisclosed conveyance, or unexpected changes to an estate plan, the practitioner bringing or defending against these actions has many challenges to confront. This fast-paced program reviews the foundational law governing these claims, as well as procedural and evidentiary issues that may be encountered. Bring your questions to customize the dialogue.

Agenda

- Grounds for Challenging a Lifetime Transfer or a Will
- Proving Undue Influence and Lack of Capacity
- Where to Bring the Action
- Intersection with Guardianship/Conservatorship Proceedings
- Will Contest Procedure
- Overcoming the Attorney-Client Privilege
- Bank Accounts/Beneficiary Designations
- Medicaid Planning Considerations
- Relief Available/Attorney’s Fees

Speakers



MOLLY COCHRAN is a partner at Seegel Lipshutz Lo & Martin, LLP in Wellesley. She has litigated cases involving lifetime transfers and will contests in Superior Court, Land Court, and Probate Court. Ms. Cochran has been designated as a Super-Lawyer multiple years. Her practice includes trust litigation, business litigation, and employment litigation. Ms. Cochran is a member and past Chair of the Stoughton School Committee and a Town Meeting Member.



PATRICIA KEANE MARTIN is a partner at Seegel Lipshutz Lo & Martin LLP in Wellesley, concentrating her practice in the areas of elder law litigation, estate planning, probate and trust administration, trust and fiduciary disputes, and contested guardianships and conservatorships. Ms. Keane Martin serves on the Board of Directors of MassNAELA, which has awarded her with the John J. Ford Advocacy Award in 2014 and 2015, as well as NAELA Chapter Member of the Year in 2018. She was honored as one of the Top Women in the Law by Massachusetts Lawyers Weekly in 2016 and has been designated as a Super-Lawyer since 2016. She serves on the Board of Directors at the Barton/Joslin Camp for children with Type 1 diabetes, and the Board of Directors for the Public Guardianship Services.



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9:30 am–10:30 am

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REBROADCAST

Friday, June 18, 2021
11:00 am–12:00 noon

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REBROADCAST

Monday, June 28, 2021
12:00 noon–1:00 pm

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