

Estate Planning, Probate, and Trust Administration

PROBATE AND TRUST LITIGATION

In most cases, a person's wishes regarding the distribution of his or her assets after death have been made clear by leaving specific instructions through wills, trusts, and other mechanisms that dictate who will inherit real estate and personal property.

However, in some instances, disputes arise that lead to litigation. Such proceedings require attorneys who are both accomplished litigators and skilled in the laws that govern probate and trust matters in the State of Ohio.

Our goal is to resolve matters in the most financially sound manner possible and work toward an amicable solution. When such efforts are unsuccessful, we pursue our clients' rights in court, or through the alternative dispute mechanisms of arbitration and mediation.

Critchfield's caring and knowledgeable attorneys represent fiduciaries and beneficiaries of estates and trusts. We also counsel personal representatives in the administration of estates and trusts and advise individual and corporate trustees concerning their fiduciary duties and obligations. We represent estates in federal and state estate tax audits and disputes, and advise our clients in various phases of probate and trust litigation, including construing and reforming the terms of wills and trusts. Our experience also includes:

- Will contests and surcharge actions
- Trust contests
- Concealment of assets
- Actions regarding breach of fiduciary duties
- Misusing or abusing powers of attorney
- Exceptions to inventories
- Creditors' claims made against an estate
- Elder exploitation and undue influence
- Wrongful death

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