

CONTENTIOUS PROBATE UPDATE 2023

Organised by St John's Chambers and RWK Goodman

Wednesday, 15th November 2023 @ 1.30pm - 4.30pm
RWK Goodman, Midland Bridge House, Bath, BA2 3FP
Cost: £40 + VAT 3 CPD hours

St John's Chambers and RWK Goodman are delighted to invite you to their annual contentious probate update seminar held in association with Stone King.

The seminar aims to bring practitioners up to speed with all the latest developments in the world of contentious probate. It is principally targeted at solicitors who are (or would like to be) involved in contentious probate work, but it would also be of interest to non-contentious lawyers, Will writing firms and professional executors.

Book here



Topics

- Law Commission proposals
- Applications under the Variation of Trusts Act 1958 – a practical guide in light of *Harvey v Van Hoorn* [2023] EWHC 1298 (Ch)
- Cross-border estates
- Costs in contentious trust and estate claims
- Undue influence and wills

Drinks and canapés will be served after the seminar, with the opportunity to network with fellow professionals.



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PROGRAMME

1.30 - 1.55pm	Registration & refreshments
1.55 - 2.00pm	Welcome and introduction from the Chair Claire James, Associate, RWK Goodman
2.00 - 2.20pm	Undue influence and wills Christopher Jones, Head of Chancery & Commercial, St John's Chambers Christopher will discuss undue influence claims in light of recent decisions, including <i>Naidoo v Barton</i> (2023).
2.20 - 2.40pm	Cross-border estates Luke Watson, Partner, Stone King Luke will discuss the requirements for the formal and essential validity of wills in different jurisdictions and other points of interest for practitioners when dealing with cross-border estates.
2.40 - 3.00pm	Costs in contentious trust and estate claims Kayeleigh Bloomfield, Barrister, St John's Chambers Kayeleigh will provide an update on the latest developments in costs in contentious trust and estate claims and what these mean for practitioners.
3.00 - 3.20pm	Cream teas
3.20 - 4.00pm	Law Commission supplementary consultation paper on wills Amanda Noyce, Partner, RWK Goodman and Mike Muston, Partner, RWK Goodman Amanda and Mike will discuss the Law Commission supplementary consultation paper on wills. The target of the consultation will be electronic wills and the rule that a marriage or civil partnership revokes a will in the context of a predatory marriage. As the seminar will coincide with the consultation period, we will invite delegates to vote and the result of our survey will be submitted to the Commission.
4.00 - 4.20pm	Applications under the Variation of Trusts Act 1958 – a practical guide in light of <i>Harvey v Van Hoorn</i> [2023] EWHC 1298 (Ch) Alex Troup, KC Head of Wills & Trusts, St John's Chambers Alex acted for the trustees in the recent case of <i>Harvey v Van Hoorn</i> , in which the court approved a proposed variation of the trust on behalf of minor and unborn objects of a discretionary power of appointment. Alex will offer a guide to help practitioners decide when an application under the 1958 Act may be appropriate and how to deal with such applications in practice.
4.20 - 4.30pm	Question & Answers
4.30pm	Drinks and canapes

SPEAKERS



Alex Troup KC, Head of Wills & Trusts, Call 1998 KC 2023, St John's Chambers

"Alex is extremely astute and robust. He commands respect in the courtroom."
LEGAL 500, 2023 (CHANCERY, PROBATE & TAX)

Alex is ranked as the only 'star individual' on the Western Circuit in chancery matters by Chambers UK and is Head of our Wills & Trusts team. He is also the only silk ranked in private wealth outside of London in the High Net Worth Guide 2023. Alex's practice includes both advisory and contentious work relating to trusts, wills and the administration of estates, including claims based on proprietary estoppel and under the Inheritance (Provision for Family and Dependants) Act 1975. He has recently been successful in the High Court in contesting the validity of a farmer's will on the ground of testamentary capacity and in an alternative proprietary estoppel claim.



Christopher Jones, Head of Chancery & Commercial, Call 2004, St John's Chambers

"An excellent trial advocate who is unafraid to fight his corner."
LEGAL 500, 2023 (CHANCERY, PROBATE & TAX)

Christopher is a chancery and commercial specialist with particular emphasis on trust litigation and advice, contentious and non-contentious probate applications, real property litigation (particularly in relation to easements, restrictive covenants and contracts for the sale of land) and commercial and agricultural landlord and tenant disputes. He also regularly advises on professional negligence claims, particularly in relation to claims against solicitors, accountants and tax consultants in relation to negligent conveyancing and tax advice as well as being a trained mediator.



Kayleigh Bloomfield, Barrister, Call 2021, St John's Chambers

"Kayleigh argued my case very persuasively in both her written and oral submissions. It was very clear that she was completely on top of the papers and was very confident and reassuring. The case took a surprising turn and despite her year of call, Kayleigh was not flummoxed in any way. She remained professional, calm, and dealt with the issues extremely well throughout the case. In court, she was equally impressive and managed to get me an outcome that was everything I wanted."
Client, Wills & Trusts

Kayleigh joined Chambers in October 2022 following the successful completion of her specialist commercial and chancery pupillage. She accepts instructions across all main areas of this practice group. Kayleigh's pupil supervisors were Charlie Newington-Bridges and Christopher Jones. Kayleigh frequently appears trials, to include small claims and fast-track matters covering all areas of commercial and chancery law such as contract, construction, and boundary disputes. She has appeared and advised on a range of interim procedural hearings such as applications to strike out claims, applications for summary judgment, injunctions, and pre-action disclosure applications. Kayleigh has also recently been instructed as English Counsel alongside Alex Troup in respect of offshore contentious probate litigation.

SPEAKERS



Luke Watson, Partner, Stone King

Luke is a Partner in the Dispute Resolution team at Stone King who specialises in contentious trust and probate disputes with over 20 years' experience in this area. Luke is a full member of ACTAPS. Luke's contentious trust and probate practice involves the full array of claims in this area including disputed wills, claims under the Inheritance Act 1975, breach of trust claims and proprietary estoppel. Luke acts for national charities, personal representatives, trustees and beneficiaries and has a particular interest in and experience of contentious trust and probate disputes which span multiple jurisdictions including current cases involving Singapore, France and Germany.



Amanda Noyce, Partner, RWK Goodman

"One of the most established hands in estate and trust litigation there is. She is absolutely first class, she's extraordinarily sympathetic, she is personable and kind and very reassuring for clients, she has an absolutely peerless legal brain."

CHAMBERS HIGH NETWORTH GUIDE

"Amanda Noyce is a highly experienced contentious probate and trusts lawyer with a first-rate reputation. She brings a very pragmatic approach to an area of law where emotions can often run high, which is ultimately to the benefit of her clients. She provides sensible and realistic advice." **THE LEGAL 500**

Amanda is a Partner and head of RWK Goodman's specialist Contentious Wills, Trusts and Inheritance Disputes team. With over 30 years' experience in the profession, Amanda was short-listed for Lawyer of the Year for her work on the high profile Barton case in the 2018 Bristol Law Society awards. She has appeared recently as a legal expert in the Channel 5 documentary series "Inheritance Wars: who gets the money?" She has practiced in both the non-contentious and contentious areas of inheritance, probate and trusts, but now specialises exclusively in contentious probate and trusts work. Amanda is ranked a Leading Individual by the Legal 500 and as a Band 1 lawyer in the Chambers High Net Worth Guide.



Mike Muston, Partner, RWK Goodman

"He is extremely good and is building up a formidable practice."

"He is understanding and easy to communicate with, and I feel assured he will do his utmost for us." **CHAMBERS HIGH NETWORTH GUIDE**

"Mike Muston is excellent with clients and able to quickly get to the heart of any dispute." **THE LEGAL 500**

Mike is a Partner in RWK Goodman's Contentious Wills, Trusts and Inheritance Disputes team, with over 10 years of experience in assisting clients with matters including contentious probate and contentious trusts, proprietary estoppel and contentious Court of Protection work. Mike is a full member of both ACTAPS and STEP. Mike has been ranked as an Associate to Watch for several years by the Chambers High Net Worth Guide and is also recommended by the Legal 500.



Claire James, Associate, RWK Goodman

Claire is an associate in RWK Goodman's specialist Contested Wills, Trusts & Inheritance Disputes team. Focussing on obtaining practical solutions for clients, Claire prides herself on being approachable, responsive, and compassionate; providing essential support to clients in challenging circumstances.