

The death of a family member is always an emotional and challenging time, but it becomes even more difficult when the deceased leaves behind a Will that is unfair to some family members. Although many estate-related disputes can be avoided by proper estate planning before death, not all disputes can be resolved without the help of an experienced estate litigation lawyer.

WE CAN HELP YOU WITH...

- **Contesting a Will** due to:
 - Unfair distribution of assets where spouse and/or children are not fairly provided for;
 - Lack of the will-maker's mental capacity when they made the Will; and
 - Undue influence where someone coerced the will-maker into making a Will that is one sided and unfair.
- **Challenging the transfer of assets** from a will-maker to another family member prior to death, including joint bank accounts and jointly owned land.
- Claims relating to the **inappropriate conduct of a trustee, executor, or attorney**, such as failing to account for assets, using estate money for improper purposes, and other abuses of power.
- **Defending** a claim brought against you in relation to an estate or trust, a property, or a power of attorney.

WHY HAVE AN ESTATE LITIGATION LAWYER?

- If you feel you have been unfairly treated in a Will, we can help you make a claim for a greater share of the estate. Our courts will often change how a deceased person's estate is divided if the will is invalid or if it does not fairly split the estate among the deceased's family members and other beneficiaries.
- As lawyers with many years of experience in estate litigation matters, we can help provide guidance and eliminate the stress of managing complex legal cases. We know the passing of a loved one is emotionally taxing, and we are here to make sure your issues are resolved effectively and efficiently.

WHAT DO I NEED TO CONSIDER BEFORE MAKING A CLAIM?

- Am I eligible to dispute a Will?
Only a spouse or child of the deceased can apply to change a deceased's will. However, if you are neither a spouse nor child, you may still be able to challenge the validity of the will, or make other claims against the estate. It is important to consult with a lawyer to determine if your claim has merit.
- How long do you have to dispute a Will?
For most claims, you have 180 days from the date the probate was granted to dispute a will. However, you may have longer depending on the type of claim you have.
- Do I have to go to court?
While going to trial may be the only resolution to your case, we work with all parties involved to find alternative solutions to avoid the extra time and stress that can come with a trial.

RECENT CASES

[Klotz v. Funk](#), 2019 BCSC 817

[Re Berkenbos Estate](#), 2018 BCSC 1661

[Re Crisafio Estate](#), 2018 BCSC 305

[Re Anand](#), 2018 BCSC 34

[Cole v. Hamel](#), 2018 BCSC 338

[Walsh v. Walsh](#), 2018 BCSC 199

TESTIMONIALS

You were super efficient and positive, making it easy to get this settled. – C. Baker

Consider this a rave review of your performance! The detailed and complete information you presented in the negotiation ... was exceptional – Joyce and Bill Slemko

RELATED ARTICLES

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GET IN TOUCH TODAY

Contact us today for your free consultation by calling 604.581.4677 or filling out the form below. Whatever the situation, our team of experienced lawyers are here to support you.

- With the largest estate litigation team outside downtown Vancouver, our estate litigation lawyers will provide you with the expertise necessary to guide you through the litigation process.
- No matter what type of situation you are facing, we can tailor our solutions to match your specific needs.
- We understand that British Columbia's estate laws are complex; however, our knowledge base and legal skills will allow us to confidently advocate on your behalf.

OUR TEAM



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