

CONTINUING LEGAL EDUCATION

THE BAR ASSOCIATION OF SAN FRANCISCO



The Probate Litigation Subcommittee of the Estate Planning,
Probate and Trust Section presents

Wreslin' with Breslin - New Probate Mediation Rules

Tuesday
December 7, 2021

MCLE Registration: 11:30 a.m. - 12:00 p.m.

MCLE Program: 12:00 - 1:30 p.m.

Speakers

Jaime B. Herren
Holland & Knight LLP

Andrew R. Verriere
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This July the Supreme Court declined to review *Breslin v. Breslin* wherein the Court of Appeal confirmed the wide ranging authority of the probate court presiding over trust matters includes the power to order parties to mediation. It also confirmed that parties who refuse or decline to participate in such court-ordered mediation risk forfeiting their beneficial interests in trust proceedings. The new rules put the onus on trust beneficiaries to monitor and actively participate in litigation. We will discuss the pros and cons of such a policy in the short and long term. We will also offer tips for how to utilize *Breslin* mediation orders to your advantage and how to protect your client from inadvertent forfeiture in trust disputes.

Topics

- New probate mediation rules from *Breslin v. Breslin*
- Policy considerations of forced mediation in trust litigation
- Tips for effective use of *Breslin* mediation orders in trust disputes

MCLE: 1 Hour Estate Planning, Trust & Probate Law Specialization Law

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Registration is required.

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Register online: www.sfbbar.org

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