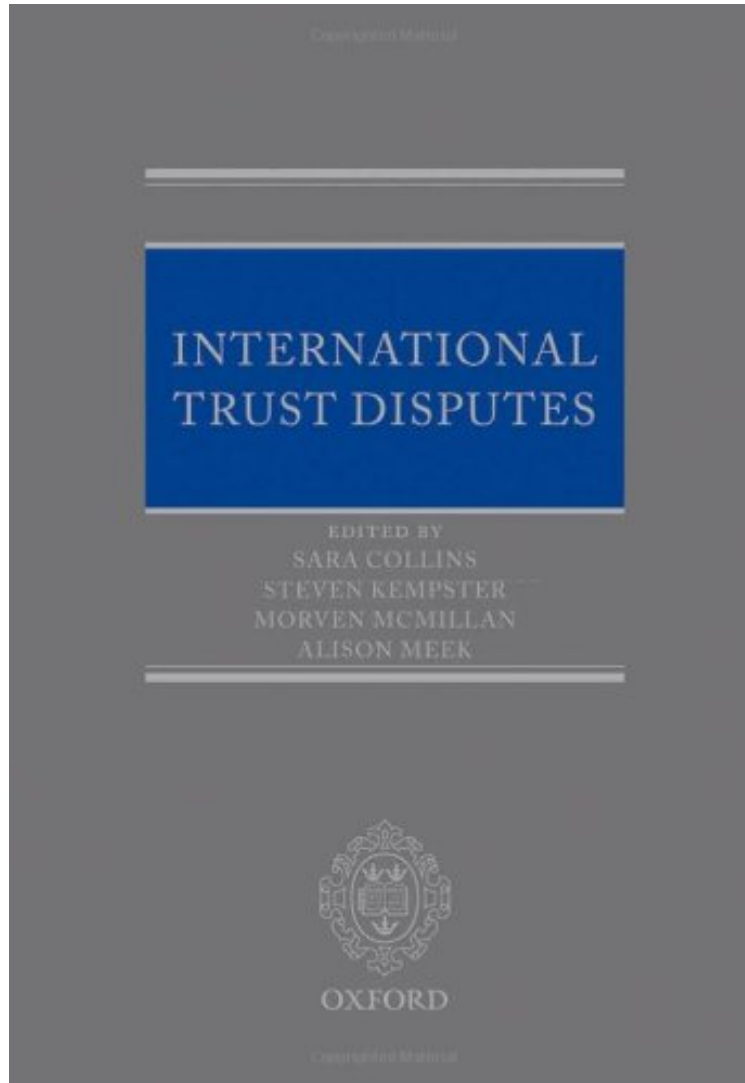


(Download free ebook) International Trust Disputes

International Trust Disputes

Sara Collins, Steven Kempster, Morven McMillan, Alison Meek
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Sara Collins, Steven Kempster, Morven McMillan, Alison Meek : International Trust Disputes before purchasing it in order to gauge whether or not it would be worth my time, and all praised International Trust Disputes:

1 of 1 people found the following review helpful. A specialist practitioners' guide....By Phillip Taylor MBETO
INTERNATIONAL TRUST DISPUTES An appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green Chambers
If you have clients operating in an international environment, (which so many now do) cross border jurisdictional issues may arise involving international trust disputes, with, quite often, a lot of money at stake. How useful then, that the Oxford University Press has just published a definitive guide to the subject! The book examines in depth the many issues which you as a practitioner could encounter in this complex area. The book is a compilation of

contributions from no less than 38 learned contributors -- including two of the editors -- all experts in their respective fields. In Part II of the book, all relevant jurisdictions are covered, including Bermuda, British Virgin Islands, Cayman Islands, Gibraltar, Guernsey, Isle of Man, Jersey, Lichtenstein, New Zealand and Switzerland. The title starts with an overview of the concept of the trust, which has evolved from the common law, the book then moves on to specifics, touching on an extraordinarily wide range of issues, from matrimonial conflicts to inheritance to insolvency and of course, much more, including, for example, sham trusts, establishing liability, the position of directors and corporate trustees, defences and limitation. Also considered are trustees decision making and duties, powers and discretions. There is, too, an examination of undue influence and capacity and setting aside trusts. The editors have been punctilious in including all the latest developments pertaining to international trust disputes in the text; for example the decision of the Supreme Court in *Radmacher v Granatino* in October 2010, the Court of Appeals decision in *Futter v Futter and Pitt v Holt* in March 2011 and the decision in *Southgate v Sutton* in the same year. This logically set out, meticulously footnoted work of reference also provides (as you would expect), extensive tables of cases and of legislation, each arranged by country -- and there is a detailed index of over forty pages at the back. As James Corbett QC, one of the editors points out, the wide variety of uses for which the offshore trust has been devised and to which it has been put -- has correspondingly opened up the range of litigation that may result. (And these are only offshore trusts!) We've no doubt that if you're a practitioner involved in any way with trusts, you'll find this book indispensable in enhancing your understanding of this continuously expanding area of law. The law is as stated on 1 June 2011.

The number of disputes involving trusts has risen significantly in recent years. Many disputes take place in the international environment and cross-border jurisdictional issues may arise. These disputes often involve large sums of money, impacting significantly on family relations. The handling of such disputes requires specialist skills and knowledge, including an understanding of how and why private trusts are established and administered and the problems that can arise; an awareness of the cross-jurisdictional issues that may be relevant; and the ability to identify practical legal solutions to the dispute that are compliant with trust principles. *International Trust Disputes* provides a comprehensive and thorough treatment of this topic. Acting as a specialist guide for practitioners, it offers a survey of the special considerations that may arise with regard to trust disputes as well as a definitive guide to the issues which may be encountered in the jurisdictions where disputes are most likely to take place.

"We've no doubt that if you're a practitioner involved in any way with trusts, you'll find this book indispensable in enhancing your understanding of this continuously expanding area of law." --Phillip Taylor MBE and Elizabeth Taylor, Richmond Green Chambers
About the Author Sara Collins was formerly a partner and Head of Trust Private Client in the Cayman Islands office of Conyers Dill Pearman. Sara has published regularly and is the Cayman Islands correspondent for *Trusts Trustees*. Steven Kempster is a partner and head of the Trusts and Estates Disputes group at Taylor Wessing (London). He specialises in the resolution of disputes relating to the formation or administration of trusts and estates in England and in the offshore jurisdictions. He is a registered member of the Association of Contentious Trust and Probate Specialists (ACTAPS). Morven McMillan is Partner and Head of Trusts Cayman Islands, Mourant Ozannes. She is a specialist in the field of contentious trusts disputes and also has considerable experience in non-contentious work. She is regularly involved in disputes relating to trusts, wills and inheritance. Morven is a member of the Society of Trust Estate Practitioners (STEP), and of the Association of Contentious Trust and Probate Specialists (ACTAPS), and speaks regularly at international conferences. Alison Meek is a partner at Marcus Sinclair. She specializes in contentious trust and estate work for both onshore and offshore clients. She is a founder member of the Association of Contentious Trust and Probate Specialists (ACTAPS).