

# CONTENTIOUS EXECUTRIES

Roddy A. S. MacLeod



W. GREEN

# Contentious Executries Guide Scottish Law

**Richard Keith, George Clark**



## **Contentious Executries Guide Scottish Law:**

**Contentious Executries** John Kerrigan, 2015-09-30 *Contentious Executries* is a comprehensive straightforward and practical guide to dealing with the numerous circumstances in which disputes concerning estates and executries can arise in Scotland. Intended to be the first point of reference for busy practitioners, this book covers all the relevant aspects of dealing with contentious issues arising within executry administration. This essential new handbook provides essential guidance to private client solicitors and litigators. John Kerrigan is Partner at Morisons Solicitors in Glasgow. He is part of the private Client team and one of the leading specialists in Will preparation in Scotland. He regularly speaks at seminars and conferences. Specialist areas include contentious estates, estate planning and tax mitigation, powers of attorney and living wills. John taught for 12 years at Glasgow Graduate School of Law and was Senior Tutor in Private Client for the last two years of his tenure. He was also on the Board of Management at John Wheatley College for seven years and is an external tutor for the Scottish Paralegal Course, wills, trusts and executries. He is a Fellow of the Chartered Institute of Securities and Investment.

**Comparative Succession Law** Kenneth G C Reid, Jan Peter Schmidt, Reinhard Zimmermann, 2025-01-12 This fourth volume in the *Comparative Succession Law* series provides a historical and comparative study of how and by whom the estates of deceased persons are administered, drawing upon the legal traditions of Europe and beyond. When a person dies, their assets or their value will transfer to those entitled to inherit them following the deceased's will or in the absence of a will, according to the rules of intestate succession. Along the way, the assets have to be identified, located, collected in and safeguarded. Debts owed by the deceased or arising from the death must likewise be identified and then met, if need be, with the proceeds from a sale of estate assets. The whole process, by which this is done from the time of the death until the time of final distribution of the assets to those entitled to receive them, is the subject of Administration of Estates. The topic has sometimes been neglected even within national legal systems, and systematic comparative analysis, at least in the English language, is almost wholly lacking. The volume thus seeks to fill an important gap in the field of comparative succession law. Focusing on the legal systems of Europe and on countries which have been influenced by the European experience, the volume examines the law in Austria, England and Wales, France, Germany, Hungary, Italy, the Netherlands, Norway, Russia, Scotland and Spain, as well as presenting chapters on Australia and New Zealand, Canada, China, South Africa, South America and the United States of America. The historical background to the main legal traditions in Europe is represented by chapters on Roman law, the customary law of early modern Continental Europe and English law before 1837.

*Chambers Guide to the Legal Profession*, 2001      **Chambers Guide to the UK Legal Profession**, 2002      **The Scottish Law Directory for ...**, 1989      **Comparative Principles of the Laws of England and Scotland** John William Brodie-Innes, 1903

**Chambers UK 2009** Tracey Sinclair, 2008-11 An independent guide to the top solicitors, barristers, law firms and barristers' chambers in the United Kingdom      **The Journal of the Law Society of Scotland**, 1998      A Practical Guide to

Legal Rights in Scotland Sarah-Jane MacDonald, 2022-01-31 The concept of legal rights is at its heart seemingly simple giving certain parties a fixed entitlement to a deceased's estate. Regardless of how straightforward it seems in practice, legal rights are a veritable minefield. This book is intended to act as a roadmap to help practitioners navigate through those proverbial mines. This practical guide is designed to collate the key principles as well as highlight some of the quirks or greyer areas where there is little or inconsistent judicial authority. Legal rights issues can broadly be split into three pillars: namely, who is entitled, what they are entitled to, and how legal rights are dealt with. This book will deal with each in turn, pinpointing important principles and issues whilst providing practical solutions. The chapters will deal with issues around modern families, minor missing or incapacitated beneficiaries and duties to notify. It will then consider how the net moveable estate is ascertained when heritable property may be moveable when gifts may be taken into account and what deductions are to be made. Finally, it will consider how legal rights are dealt with including issues of forfeiture, collation, interest, the interaction with various taxes and what planning may be undertaken to potentially mitigate such an entitlement. Whilst it is aimed at those who may have less experience in dealing with all the complexities legal rights have to offer in practice, it is also designed to be a checklist for even the most experienced practitioners.

**ABOUT THE AUTHOR** Sarah Jane advises on all aspects of Private Client law with a particular interest in complex or contentious trusts and estates. She is recognised as a Key Lawyer by Legal 500 for both Personal Tax, Trusts, Executories and Contentious Trusts. Probate. Sarah Jane is a full member of the Society of Trust Estate Practitioners (STEP) having previously won a STEP Worldwide Excellence Award. Trusts Law Practice and gained her STEP Diploma Scotland and Advanced Certificate Trust Disputes both with distinction. She is also a current member of the STEP Scotland Branch Committee and is dedicated to furthering the profession through STEP and other avenues. Having previously achieved a First Class Honours Degree in Mathematics Economics before entering her career in law, Sarah Jane uses those problem-solving skills alongside her private client experience to reach practical resolutions to disputes. She has hands-on experience in negotiation and mediation and in 2021 won the Core at 20 Mediation Challenge. She regularly speaks about dispute resolution for trustees and executors in particular on the many issues surrounding legal rights.

**Current Law Index**, 1996      The Decisions of the Lords of Council and Session, from June 6th, 1678, to July 30th, 1712 Scotland. Court of Session, Lord John Lauder Fountainhall, 1761      Chambers & Partners' the Legal Profession, 1999      *The Legal 500*, 1999      Official Report of the Standing Committees Great Britain. Parliament. House of Commons, 1989

**CONTENTIOUS EXECUTORIES** RODDY. MACLEOD, 2024      The Law of Scotland in Relation to Wills and Succession John M'Laren, 2023-07-18 This comprehensive guide to Scottish law is an indispensable resource for anyone working in the fields of wills and succession. The book covers all aspects of Scottish law relating to wills and inheritance, including the rules governing intestate succession, the construction of wills and the establishment of trusts and settlements. Whether you're a lawyer, a financial planner or simply someone interested in learning more about Scottish law, this book is an

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*The Law of Wills and Succession as Administered in Scotland* John M'Laren, 1894      A Guide to Scots Law Richard Keith, George Clark, 1978      Delict Francis McManus, 2012-01-06 e

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