

## Kevin Jackson

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SECRETARY AMY MALENSEK



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### Kevin is an associate in the trust, estate and inheritance disputes team.

Kevin is experienced in representing individuals and fiduciaries in a wide range of contested trust and estate matters in probate court and on appeal, including will and trust contests, breach of fiduciary duty cases, accounting actions, disinheritance proceedings, judicial construction, modification, and termination of trusts, financial elder abuse claims, contested conservatorships and guardianships, and related civil claims. Kevin has litigated cases in state court, federal court, and administrative proceedings.

Kevin also assists his clients with estate planning and the administration of trusts, probates, conservatorships, and guardianships. He advises his clients on implementing practical estate planning strategies and avoiding litigation pitfalls during the administration process.

Kevin is a member of the Executive Committee of the Trusts and Estates Section of the California Lawyers Association (TEXCOM). He has been recognized as a Super Lawyers Rising Star on multiple occasions. Kevin has also taught as an adjunct professor in estate planning at the University of San Francisco School of Law.

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## Track record

## Represented a conservator of the

Represented a conservator of the person and estate in prosecuting a partition action, which included defending against offsets claimed by the Defendant. At trial, obtained final judgment of partition and denial of all offsets claimed, and subsequently recovered attorney's fees and costs.

## Represented a trustee in bringing

Represented a trustee in bringing a petition to confirm his authority to make a charitable gift at the direction of the settlor. Respondent beneficiaries objected and claimed that settlor lacked donative capacity. Obtained finding of donative capacity and judgment in trustee's favor on the first day of trial after beneficiaries withdrew their objection to the petition.

## Represented a trust beneficiary on

Represented a trust beneficiary on appeal who sought to reverse a trial court's order denying her disinheritance petition and finding that the opposing trust beneficiaries did not violate the trust's no-contest clause. The appellate court reversed the order and remanded the matter to the trial court with instructions to enter a new order finding that the opposing beneficiaries did violate the no contest clause.

## Represented beneficiaries of an irrevocable

Represented beneficiaries of an irrevocable life insurance trust in obtaining an order from the probate court that terminated the trust and distributed the trust proceeds outright to the beneficiaries.

## Obtained dismissal of a breach

Obtained dismissal of a breach of contract complaint brought against a private professional fiduciary acting as conservator. The trial court sustained the conservator's demurrer to the complaint without leave to amend.

## Obtained an order appointing client

Obtained an order appointing client as co-guardian of her grandchildren in a complicated guardianship matter where the probate court initially appointed the competing petitioner as sole temporary guardian.

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## Talks

- '*An Overview of Elder Financial Abuse: Detecting and Reporting The Financial Abuse of Elders*,' 5th Annual Financial Elder Abuse Symposium - June 2, 2023, speaker
- '*e-State Planning for Bitcoin and Other Crypto Assets*,' Trust Me! Podcast by California Lawyers Association Season 3, Episode 5 - May 29, 2023, host
- '*What is a Conservatorship? - Navigating the California Conservatorship Process*,' Trust Me Podcast by California Lawyers Association - December 26, 2022, host

- 'The Benefits of a Trusts and Estates Practice,' Solo and Small Firms Summit by California Lawyers Association - June 2022, co-presenter
- 'Got Assets? Do You Know How to Protect Them?' Agents of Color - May 2022, presenter
- 'Estate Planning for Restaurant Owners,' Food and Business Summit by WFE Consulting - May 2022, co-presenter
- 'When They Don't Clap for Anti-SLAPP - Part 2,' Trust Me Podcast by California Lawyers Association - April 2022, host
- 'When They Don't Clap for Anti-SLAPP - Part 1,' Trust Me Podcast by California Lawyers Association - March 2022, host
- 'Conflict Spotting -- The Rules of Professional Conduct Have Elevated the Game: a Quick Refresher Course and Practical Guide to Navigating Conflicts of Interest in Estate Planning and Trust Administration,' Beverly Hills Estate Planning Council - January 2022, speaker
- 'Millionaire Millennials,' Los Angeles Urban League BWAARP - December 2021, speaker
- 'Family Estate Planning,' Prosperity Toolkit - November 2021, presenter
- 'Investment Strategies & Wealth Protection,' City Club Los Angeles - September 2021, speaker
- 'Steps Business Owners Need to Take to Create Wealth,' Black Business Association - February 2021, speaker
- 'Real Estate Black Professionals: Virtual Career Day,' Compass Real Estate - November 2020, co-presenter

## External publications

'[New Legislation Alert: SB 1005](#),' California Lawyers Association Trust and Estates Section - August 22, 2023, authored

## Admissions

California, 2014

U.S. District Court for the Northern District of California

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## Education

University of San Francisco School of Law, *Academic Honors*, J.D.

California State University, Long Beach, *magna cum laude*, B.A.

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## Languages

English

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## Memberships

California Lawyers Association, Trusts and Estates Section, Member of Executive Committee (TEXCOM)

University of San Francisco School of Law, Board of Governors

Beverly Hills Bar Association

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## Key dates

Year joined: 2022

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