



ADR and Trusts: an international guide to arbitration and mediation of trust disputes

Grant Jones and Peter Pexton

Price £99.95/€125/160 400 pages

Publication: January 2015

ISBN: 9781907444586 paperback; 9781907444456 ebook

Settling trust disputes without litigation can save all parties legal costs and maintain confidentiality (reducing the risk of unwelcome publicity). *ADR and Trusts* has been written to help professional advisers who want to help their clients to avoid litigation. It is a development from the authors' accredited mediation training course for the Society of Trust and Estate Practitioners (STEP).

Part A introduces the reader to the different forms of dispute resolution, and examines the differences between arbitration and mediation of trust and fiduciary disputes. The mediation process is explained, including: the role of professional advisors, and the tools and techniques for mediation. The authors examine ways of avoiding disputes, cross-border aspects of Alternative Dispute Resolution (ADR), the psychological factors affecting mediation, the mediator's powers to mediate and settle disputes, and ethical issues in Trust ADR. Islamic and Sharia Trust ADR is also considered, with close study of the developing approaches in Canada and the UK.

Part B examines 27 jurisdictions and how trust law and ADR operates in each of them. The jurisdictions covered are: Australia, Bahamas, Barbados, The British Virgin Islands, Canada, Cyprus, England and Wales, Florida, France, Gibraltar, Guernsey, Hong Kong, India, Ireland, Isle of Man, Israel, Italy, Jersey, Liechtenstein, Malaysia, Mauritius, New Zealand, Panama, Scotland, Singapore, Switzerland, and the United Arab Emirates. Each profile addresses: arbitration law and practice, trust law, the mandatory requirements for mediation and the enforcement of ADR awards.

Mediators, arbitrators, trust and estate planning practitioners, trust managers and anyone involved in trust disputes should all benefit from reading this book.

About the authors:

Grant Jones LL.M., New York attorney, solicitor, a Fellow of the Institute of Chartered Accountants and of the Chartered Institute of Arbitrators, is a visiting Nottingham University Law School professor, who practises as both a solicitor and a chartered accountant, in London and Gibraltar.

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Published by Spiramus Press Ltd, 102 Blandford Street, London W1U 8AG

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immediate past chairman of Verein STEP (Switzerland), he now chairs the Membership Committee of STEP Worldwide. Specialising in offshore trusts, estates and tax planning, Peter practised as a partner in the Jersey firm of Ernst and Young, then as a director of Royal Bank of Canada Trustees Limited and more recently as a director of Ganten Group in Liechtenstein.

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