

Jennifer L. Mispagel

Associate

jmispagel@hopkinscarley.com

Phone: 408.299.1339



- **Services**

- Family Wealth & Tax Planning
- Trust & Estate Counseling

Overview

Jennifer is an associate in Hopkins & Carley's Family Wealth & Tax Planning Department. She represents individuals, families, trustees, executors and personal representatives in matters including:

- Estate planning
- Wealth preservation and transfer
- Business formation and family business organizations
- Estate and trust administration
- Probate

Prior to joining Hopkins & Carley, Jennifer was with Lonich & Patton in San Jose where her practice focused on the interrelated areas of trust and estates, business law and family law.

As a result of her experience litigating trust, estate and divorce disputes, she is keenly aware of the need to guard against the potential for litigation when working with clients to formulate their estate plans.

Experience

- Assisted successor trustee during lengthy administration of parents' multimillion dollar trust estate during final years of parents' lives and through final distribution to beneficiaries.
- Represented business owner in all aspects of personal asset management and estate planning, to include formation of

multiple LLCs, drafting of a premarital agreement and preparation of a comprehensive estate plan with separate property and family trusts.

- Guided trustee through complex, multiyear trust administration requiring: (1) a Heggstad Petition to confirm property to the trust; (2) multiple probate proceedings to clear title to real property and manage deceased beneficiaries' shares of trust estate; (3) an unlawful detainer action to evict squatters from trust property; and (4) the sale of trust real property.
- Represented executor and administrator in probate proceedings for decades-old estates to receive funds from the sale of land in Guam, which triggered California and federal estate tax issues.
- Assisted wealthy client with comprehensive estate plan that evolved through client's divorce and remarriage, including new children.
- Successfully defended beneficiaries of estate in probate proceeding involving a purported trust and tracing of separate property funds.
- Successfully defended trustee's actions in dispute over her management of trust property; negotiated non pro rata distribution of trust assets to satisfaction of trustee and all beneficiaries.

Insights

Selected Speaking Engagements

- *"We're Model Citizens Now: A Primer on California's New Rules of Professional Conduct,"* Silicon Valley Bar Association, November 2018, co-presenter
- *"Estate Planner Liability for Transmutation Malpractice Arising Out of Divorce,"* 14th Annual Jerry A. Kasner Estate Planning Symposium, October 2018, co-presenter
- *"Trust Administration and Its Common Pitfalls: A Primer on Administration and Avoiding Litigation,"* Silicon Valley Bar Association, July 2018, co-presenter
- *"An Introduction to Estate Planning,"* Palo Alto Foundation Medical Group, March 2018, co-presenter
- *"An Introduction to Estate Planning for Lawyers,"* Wilson Sonsini Goodrich & Rosati Associates Committee, January 2018

Hopkins & Carley Continues Expansion; Names 3 New Shareholders and Adds 4 Associates

Professional Activities

- Silicon Valley Bar Association, Executive Committee, Education Co-Chair
- California Women Lawyers
- California Lawyers Association, Trust & Estates and Taxation Sections
- Santa Clara County Bar Association, Women Lawyers Section
- American Bar Association, Real Property, Trust and Estate Law Section

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Bar Admissions

- State Bar of California (2008)

Education

- J.D., Santa Clara University School of Law
- MBA, Santa Clara University
- B.S. Political Science, Santa Clara University