Todd A. Flubacher

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Todd works with national, international and local clients on the creation, migration, modification and administration of Delaware trusts. He represents Delaware trustees, beneficiaries, law firms and individuals throughout the country on all matters involving Delaware trusts and estates. His practice emphasizes the unique advantages of Delaware trust law, including directed trusts, dynasty trusts, tax planning, asset protection trusts, and all aspects of trust validity, construction and administration. Todd has substantial experience with migrating trusts to Delaware and modifying trusts by decanting, merger, non-judicial settlement agreements, Delaware Court of Chancery trust petitions, administrative amendments, and addressing issues pertaining to choice of Delaware governing law. He drafts, reviews and comments on Delaware trust documents and renders Delaware trust law opinions. For more than a decade, Todd has filed trust petitions with the Delaware Court of Chancery for instructions, reformations/modifications, transfer of trust situs, construction, choice of law and other trust-related matters. Todd also represents trustees, executors, and beneficiaries in all types of trusts and estates litigation, including, directed trusts, choice of law, disputes over construction and interpretation of trusts and wills, creditor’s rights, trustee breach of fiduciary duties, trustee compensation, undue influence, will contests, trustee self-dealing and many other issues. As an estate planner, he assists high-net-worth clients with saving taxes, implementing their planning goals, and managing and preserving their wealth for future generations. Todd also works with executors of Delaware estates to assist with estate administration, and related tax reporting, filings, probate and planning.

Todd is a Fellow of the American College of Trust and Estate Counsel (ACTEC) and holds the designation of Accredited Estate Planner® (AEP®) by the National Association of Estate Planners & Councils. Ranked Band 1 in *Chambers HNW* among private wealth law attorneys in Delaware, he is also included in *The Best Lawyers in America* (2014-2017) and AV-rated by his peers in Martindale-Hubbell. Todd is a past-chair of both the Estates & Trusts and Tax Sections of the Delaware State Bar Association. He serves as an observer for the Drafting Committee for the Uniform Directed Trust Act.

Todd is a nationally recognized author on Delaware trust law and his articles have appeared in notable publications such as *Trusts & Estates* magazine and *Estate Planning* magazine, among others. He is a recognized speaker, frequently appearing before professional and business audiences across the country, including ACTEC, the Heckerling Institute, Estate Planning Councils, the Delaware Tax Institute and the Delaware Trust Conference.

Todd graduated with a J.D. from University of Maryland School of Law, with honors, in 1999. He graduated summa cum laude from Drexel University in 1992 with a B.S., finance. He is admitted to practice before the Courts of the State of Delaware and the U.S. District Court for the District of Delaware.