



MEMBERSHIP APPLICATION FORM

Please read the accompanying notes on page 4 before completing this form
Please complete all sections using capital letters

1 PERSONAL INFORMATION

Last name/family name _____

First name(s) _____ Title _____

Firm/Chambers _____

Business address _____

_____ DX (if applicable) _____

Tel no _____ Fax no _____

E-mail _____ Position held _____

Mailing address (if different from above) _____

2 QUALIFICATIONS AND EXPERIENCE

(a) Qualifications

Please tick the appropriate box and *it is essential that you enclose a copy of your current Practising Certificate with your application*

Practising barrister

Practising solicitor

Practising Fellow of the Institute of Legal Executives

In addition, please list any other professional qualification(s) _____

(b) Specialist field(s) (if any) _____

(c) **Relevant experience**

Please tick the appropriate boxes to show the categories of work of which you have had post-qualification experience in this jurisdiction or other

- probate disputes including Inheritance Act claims
- breach of trust claims
- sham trusts
- conflicts in relation to the appointment and removal of trustees
- conflicts regarding the validity and construction of trust documents
- constructive trusts/resulting trusts
- contested Order 85/Beddoe applications
- contested construction summonses/directions applications
- disputes over the terms and validity of the wording of specific trusts
- dispute resolution via trusts

(d) Please state the number of years of "relevant experience" you have

(e) Please state what percentage of your practice involves the type of work you have ticked under the "relevant experience" section in (c) above %

(f) Please provide the years in which this "relevant experience" was gained _____ to _____
PLEASE READ CAREFULLY PARAGRAPHS 1B AND 1 C OF THE NOTES

(g) NB In the case of an Associate Member applying for full membership, it is imperative that (1) contentious trust and probate work accounts for at least 50% of their active workload in the last two years, and (2) that this work will continue at that rate for the foreseeable future.

I am an associate member. I confirm points 1 and 2

The percentage of such work is

(h) Solicitors and Legal Executives only should complete this section.

Please list three current cases in which you have been involved. Each case should relate to a different area of the type of work listed in section (c) above, **and it is imperative that you provide several paragraphs explaining each of the current cases you refer to, and in each case setting out the date of that case.** Please continue on a separate sheet if necessary.

(h) Barristers only should complete this section

Please list three current contested High Court appearances you have made. Each appearance should relate to a different area of the type of work listed in section (c) above, **and it is imperative that you provide several paragraphs explaining each of the current cases you refer to, and in each case setting out the date of that case.** Please continue on a separate sheet if necessary.

WHERE APPROPRIATE ONLY, PLEASE COMPLETE PARAGRAPH (i) ALSO

(i) I have completed the Education course and hold an Associate Member's certificate, copy attached.

3 Please state where you heard about the Association _____

4 **PAYMENT**

Please enclose a cheque or bankers draft in the sum of £75, made payable to the Association of Contentious Trust and Probate Specialists.

In the event of a re-application for full membership following cancellation of membership for non-payment of subscriptions, please enclose a cheque or bankers draft in the sum of £100, made payable to the Association of Contentious Trust and Probate Specialists.

5 **DECLARATION**

I confirm that the details given are correct, and I hereby consent to the Association holding the above personal data directly or through agents for the purposes of mailings and other communications. I further consent to such data being disclosed by the Association in furtherance of the purposes and objectives of the Association or as required by law.

I agree to be bound by the Rules of the Association and to endeavour to act at all times within my practice in accordance with the Code of Conduct of the Association.

I undertake to pay any subscriptions throughout my membership as may be levied by the Committee of the Association.

In furtherance of their consideration of my application to ACTAPS, I authorise the Committee to make such enquiries as they deem necessary.

Signed _____ Dated _____

I (Head of Department/Chambers/Managing Partner) confirm that all information provided in Section 2 is correct.
NB In the event that you are the Head of Department/Chambers, please ensure that the form is counter-signed here by the Managing Partner/senior barrister of at least twenty years standing in your Chambers.

Signed _____ Dated _____

Checklist to enable application to be processed

- 1 Completed, signed and counter-signed application form (NB check that all relevant sections have been completed and form has been appropriately counter-signed)
- 2 Copy Practising Certificate
- 3 Cheque/bank draft for £75 made payable to the Association of Contentious Trust and Probate Specialists

NOTES TO ACTAPS MEMBERSHIP APPLICATION FORM

These notes should be read carefully before completing the Membership Application Form

NB1: The fact that a practitioner is listed as an ACTAPS member does not constitute confirmation or endorsement of the practitioner's professional expertise. Instead, it merely acknowledges the fact that the practitioner undertakes contentious trust and probate work.

NB2: The Association accepts no liability whatsoever, howsoever arising, resulting in anyone instructing an ACTAPS member.

1 RELEVANT EXPERIENCE

A List of areas of experience

- probate disputes including Inheritance Act claims
- breach of trust claims
- sham trusts
- conflicts in relation to the appointment and removal of trustees
- conflicts regarding the validity and construction of trust documents
- constructive trusts/resulting trusts
- contested Order 85/Beddoe applications
- contested construction summonses/directions applications
- disputes over the terms and validity of the wording of specific trusts
- dispute resolution via trusts

B Membership

(i) In order for Solicitors and Legal Executives to qualify for membership they must satisfy the following requirements:-

A practitioner must have either:-

- (a) gained **five years** relevant experience ("relevant experience" in this instance means that **50%** of the practitioner's year on year (ie unbroken) workload has over that period involved one or more of the areas of experience listed at 1A above); or
- (b) gained **ten years** relevant experience ("relevant experience" in this instance means that **25%** of the practitioner's year on year (ie unbroken) workload has over that period involved one or more of the areas of experience listed at 1A above).
- (c) NB In the case of an Associate Member applying for full membership, it is imperative that (1) contentious trust and probate work accounts for at least 50% of their active workload in the last two years, and (2) that this work will continue at that rate for the foreseeable future (see paragraph 2(g) above).

(ii) In order for Barristers to qualify for Membership they must satisfy the following requirements:-

A practitioner must have either:-

- (a) 1(i)(a) or 1(i)(b) above; and must have
- (b) appeared in at least three contested hearings in the High Court, together involving at least three of the areas of experience listed at 1A above.

C Dates of experience

(i) Any practitioner applying for Membership must have gained the years of the requisite years of relevant experience in the unbroken years immediately preceding the date of the application.

(ii) All "relevant experience" must have been gained post-qualification.

2 **REGISTER OF MEMBERS**

The Association will keep details of Members to which other Members may refer.

3 **COUNTER-SIGNATURE**

The Head of the applicant's Department/Chambers should counter-sign the Declaration at Section 5 of the application form.

If the applicant is the Head of his/her Department/Chambers then the Declaration at Section 5 should in the case of solicitors be countersigned by the firm's Managing Partner, and in the case of barristers, the Declaration should be countersigned by a senior barrister from your Chambers of at least 20 years standing.

Please send completed application forms to Henry Frydenson, Chairman, ACTAPS, C/o Frydenson & Co, Central Court, 25 Southampton Buildings, London, WC2A 1AL