

David E. Lieberman



CONTACT

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David litigates complex disputes over trusts, estates and the governance of family-owned and other closely-held businesses. David is a Fellow of the American College of Trust and Estate Counsel (ACTEC) where he serves on its Fiduciary Litigation and Professional Responsibility Committees and is a leader in the American Bar Association's Trust & Estates section, where he serves on the section's council and its standing committee for the National Conference of Lawyers and Corporate Fiduciaries Member, and was recently chair of the Litigation, Ethics and Malpractice Group.

He is past chair of the section's Probate and Fiduciary Litigation Committee and Malpractice Committee and serves as ABA Advisor to the Uniform Law Commission's Drafting Committee on Conflicts of Laws in Trusts and Estates. David was formerly the Trust and Estates Division's liaison to the ABA's Professional Responsibility Committee. The Chicago Council of Lawyers found David "Well Qualified" for appointment to a judicial position, reputed among surveyed lawyers and judges to be "an excellent lawyer with an excellent temperament," and "outstanding legal ability" and "praised for his trial skills."

David writes and speaks on fiduciary litigation, legal ethics, and litigating and resolving closely-held business disputes. "SuperLawyers" named David a "Top Rated Estate & Trust Litigation Attorney" for 2017 through 2023 He is a trusted firm partner, serving as our internal ethics and risk management counsel.

David aims to help every client identify and achieve their objectives by devising and diligently implementing efficient and effective strategies.

Education & Admissions

EDUCATION

J.D., University of Chicago, 1991

- Member, University of Chicago Law Review, 1989-91
- S.K. Yee Scholarship
- Bradley Fellowship in Criminal Justice

Sc. B., Brown University (Honors)

- magna cum laude, 1984
- Sigma Xi Honor Society for Science and Engineering

ADMISSIONS

Illinois, 1992

CLERKSHIP

Law Clerk, the Honorable Albert J. Engel, United States Court of Appeals for the Sixth Circuit, 1991-92

Presentations

Illinois Institute of Continuing Legal Education, “Construing and Modifying Wills and Irrevocable Trusts,” chapter in Litigating Disputed Estates, Trusts, Guardianships and Charitable Bequests, 2020 and 2023 editions.

“The Uniform Conflict of Laws in Trusts and Estates Act: What Every TE lawyer Should Know,” American Bar Association – Section on Real Property Trust & Estate Law, Spring CLE Conference, May 2023

Illinois Institute of Continuing Legal Education, Litigating Disputed Estates and Trusts: “Construing and Modifying Wills and Irrevocable Trusts,” live webcast, September 2022

“Charitable Giving and the Elderly: Contemporary Challenges and Solutions,” ACTEC/ALI CLE Webinar, October 2021

“Do’s and Don’ts of Donor Intent: Managing Disputes Over Restricted Charitable Gifts, Donor Intent and Changed Circumstances,” American Bar Association – Section on Real Property Trusts & Estates Law, Spring CLE Conference, April 2021

“Litigation within Probate and Non-probate Estates,” Illinois State Bar Association Trusts and Estates Litigation seminar, September 2020

“Fasten Your Seatbelts: The Testy Track of Advising Trustees in Litigation,” at the 2018 Spring Symposium of the American Bar Association Section on Real Property Trusts & Estates Law, Orlando, FL, May 2018

Hosted a roundtable discussion on charities in estate litigation at the March bi-monthly meeting of the Chicago Council on Planned Giving, "Planned Gifts Gone Awry: When Estate Litigation Challenges Your Donor's Bequest"

"Managing Conflict: Attorneys Drafting Documents for Nonprofits and Donors," Planned Giving Today, Aug. 2017

"Model Rules of Professional Responsibility – Adopted Model Rules – Where Do We Go from Here?," American Bar Association – Section on Real Property Trusts & Estates Law, Spring Symposium, Denver, CO, April 2017

"One if by Land, Two if by Sea: Ethical Warnings for Attorneys Working with Charitable Gifts," American Bar Association – Section on Real Property Trusts & Estates Law, Spring Symposium, Boston, MA, May 2016

Ethics and Technology in Trusts and Estates Practice, 37th Annual Duke University Estate Planning Conference, Durham, NC, October 2015

"Go Where No Ethics Have Gone Before: Staying on the Right Course in an Expanding Universe of Technology," American Bar Association – Section on Real Property Trusts & Estates Law, Spring Symposium, Washington, D.C., May 2015

"Planning, Perils and Prevention: Managing Risk in Your Trusts and Estates Practice," American Bar Association – Section on Real Property Trusts & Estates Law webinar, March 2015

Guest on WTTW Television's Chicago Tonight program concerning contested trusts and estates and Ernie Banks will contest case, February 2015. [Click here to see the video...](#)

"Resolving Shareholders Disputes," West LegalEdcenter, Complex Financial Litigation Webinar Series, July 2014

"Silver Tongued Lawyers Fighting about Dirt: Trust and Estate Litigation Meets Real Property," American Bar Association – Section of Real Property Trust and Estate Law Spring Symposia, May 2014

"Lost Profit Cases," West LegalEdcenter, Complex Financial Litigation Webinar Series, April 2014

"Earn-Out Disputes," West LegalEdcenter, Complex Financial Litigation Webinar Series, March 2014

"Fighting over Value in a Business Divorce," West LegalEdcenter, Complex Financial Litigation Webinar Series, February 2014

"Understanding and Managing Risk in Trusts and Estates Practice Today" AON Law Firm Symposium, October 2013

"Resolving Shareholder Disputes," Financial Poise, Complex Financial Litigation Series, August 2013

"Best Practices to Resolve Family-Business Conflict," Annual Conference of the International Association of Attorneys for Family-Held Enterprises, April 2012

"Expert Witnesses in Trust and Estate Litigation," University of Miami's 46th Annual Heckerling Institute on Estate Planning, January 2012

"Shareholder Oppression and Enhanced Fiduciary Duties," American Bar Association, Business Torts Litigation Journal, Winter 2012

"Next Generation Disputes in the Family Business: Navigating the Remedial, Ethical and Tax Quagmires – A Case Study," American Bar Association's Joint Fall CLE Meeting of the Sections on Real Property, Trust and Estate Law and Taxation, October 2011

"I (Might) Get By With a Little Help From My Expert: Expert Witnesses in Trust and Estate Litigation," American Bar Association Section of Real Property, Trust and Estate Law 22nd Annual Spring Symposia, April 2011

Estate Planning Seminar, Loyola University of Chicago School of Law, Guest Lecturer on Fiduciary Litigation, 2009-2011

Professional Activities

- Fellow, American College of Trust and Estate Counsel (ACTEC), member Professional Responsibility and Fiduciary Litigation Committees and Fiduciary Administration Task Force.
- American Bar Association Advisor to National Conference of Commissioners on Uniform State Laws Drafting Committee on Conflicts of Laws in Trust and Estates.
- American Bar Association Section of Real Property, Trust and Estate Law: Council (2023-present); National Conference of Lawyers and Corporate Fiduciaries Committee (2023-present); Chair, Litigation, Ethics and Malpractice Group (2021-2023); Deputy Chair (2019-21); Co-Chair Probate & Fiduciary Litigation Committee (2017-19); Liaison to ABA Professional Responsibility Committee (2015-2019); Co-chair, ABA Ethics and Malpractice Committee (Section of Real Property, Trust and Estate Law, 2015-17); ABA Futures Practice and Guidance Task Force (2016-2017); Section Representative to ABA Task Force on proposed standards of conduct for experts retained by lawyers (2011-2012).
- Chicago Council on Planned Giving – Annual Symposium Committee
- “Top Rated Estate & Trust Litigation Attorney” by “Super Lawyers” (2017-present)