Robin Drey Maher

CONTACT

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Robin focuses her legal practice on complex trust, estate, and other fiduciary-related controversies. She is particularly skilled in advising trustees regarding their fiduciary duties and responsibilities. Robin's unique approach combines her extensive knowledge of substantive trust, estate, property, and tax laws with her litigation experience, making her a sought-after advisor and litigator in trust and estate matters.

Robin handles a wide range of trust and estate controversies, including breach of fiduciary duty claims, will and trust contests, probate claims, contested heirship, accounting disputes, and the judicial construction of wills and trusts. She is also experienced in handling litigation involving family businesses and closely held enterprises. Robin's experience extends to appellate work related to trust, estate, and probate issues, where she has a proven track record of success.

Beyond traditional litigation, Robin provides valuable counsel to trustees on fiduciary risk management and beneficiary relations, helping them navigate complex legal landscapes while fulfilling their duties responsibly. She is also well-versed in drafting and representing clients in matters concerning modifications to irrevocable trusts, such as nonjudicial settlement agreements, decantings, and conversions to total return trusts and directed trusts.

Robin is frequently called upon to assist in trust and estate administration when intricate issues arise that may raise fiduciary concerns or involve challenging and controversial questions. Her extensive experience in dealing with complex fiduciary aspects of estate and trust administration sets her apart as a trusted advisor in the field.

Additionally, Robin is an active speaker and writer on various topics related to trust, estate, and fiduciary litigation, as well as ethical issues concerning estate and trust representations. Her contributions to the legal community have earned her recognition as a "Rising Star" by "Super Lawyers" for six consecutive years, and she is now recognized as a "Super Lawyer" in Estate & Trust Litigation, highlighting her exceptional skills and dedication to her clients.

Education & Admissions

EDUCATION

J.D., high distinction, University of Iowa College of Law, 2004

– Order of the Coif

– Member, Journal of Gender, Race and Justice

B.A., cum laude, Simpson College, 2001 – Presidential Scholarship

ADMISSIONS

Illinois, 2004

U.S. Tax Court

U.S. District Court for the Northern District of Illinois

Presentations

Navigating Trust & Estate Issues in Divorce Litigation, co-presenter at the 65th Annual Illinois Institute of Continuing Legal Education (IICLE) Estate Planning Short Course, May 2023

Navigating into the Eye of the Fiduciary Storm, co-presenter at ABA Real Property, Trust and Estate Law Section eCLE, July 2022

Ethical Issues Related to Joint and Multiple Representations: Family Members, Multiple Generations, Partners and Others, co-presenter at Chicago Bar Association, Trust Law Committee, June 2021

ANOTHER BOSTON TEA PARTY?: Family Law Issues in Trust and Estate Litigation, co-presenter at ABA, Section of Real Property, Trust and Estate Law's 31st Annual RPTE National CLE Conference, May 2019

The Ins, and the Definitely Outs, of Drafting Settlement Agreements, presented at the ALI 18th Annual Advanced Course for the Estate Planner, Litigator, and Corporate Fiduciary Counsel: Representing Estate and Trust Beneficiaries and Fiduciaries, July 2018

Identifying the Client other Ethical Considerations, presented at the Chicago Bar Association, Continuing Legal Education: Planning for Disgruntled Beneficiaries, March 2018

Ethics of Representing Multiple Clients and What To Do When Conflict Arises, presented at the Chicago Bar Association, Trust Law Committee, June 2017

Complex Issues with Attorney-Client Privilege: Exploring the Fiduciary Exception to the Attorney-Client Privilege, presenter at the 59th Annual Illinois Institute of Continuing Legal Education (IICLE) Estate Planning Short Course, May 2016

The Fiduciary Exception to the Attorney-Client Privilege, presenter at the Chicago Bar Association, Trust Law Committee, December 2012

Maintaining an Ethical Balance in Probate Practice, presenter at the National Business Institute CLE Seminar in Oak Brook, August 2012

Dealing With Disgruntled Beneficiaries and Settling Disputes: Family Settlement Agreements, presenter at the Chicago Bar Association, Trust Law Committee, January 2012

Starting Points: Will and Trust Contests, presenter at Illinois Institute of Continuing Legal Education (IICLE), Estate and Trust Litigation Seminar, April 2011

Transfer Tax Considerations in Settlements of Trust and Estate Litigation, presenter at Chicago Bar Association, Federal Taxation Committee – Estate & Gift Tax Division, February 2011

Trust & Estate Litigation Update, presenter at Chicago Bar Association, Trust Law Committee, January 2011

The Big Event: Sale of the Family or Closely Held Business, presenter at the J.P. Morgan Trust Officer Monthly Education Series, November 2009

Ethical Issues in Estate Planning, presenter at the National Business Institute CLE Seminar in Oakbrook, January 2009

Basic Wills and Trusts, presenter at the National Business Institute CLE Seminar in Rockford, December 2008

Current Developments: Hot Cases in Illinois Trust and Probate Law, co-presenter at Chicago Bar Association, Trust Law Committee, April 2008

Publications

Heirship, Adoption and Paternity, co-author of Chapter 10 of Litigating Disputed Estates, Trusts, Guardianships and Charitable Bequests practice guide for the Illinois Institute of Continuing Legal Education (IICLE), 2023

Oral Contracts To Make Wills: Joint and Mutual Wills, co-author of Chapter 2 of Litigating Disputed Estates, Trusts, Guardianships and Charitable Bequests practice guide for the Illinois Institute of Continuing Legal Education (IICLE), 2023

Charting a Course in Complex Trust Litigation: Safe Harbors from In Terrorem Storms, co-author, Estate Planning Journal, August 2021

UPDATE to Oral Contracts To Make Wills: Joint and Mutual Wills, co-author of Chapter 2 of Litigating Disputed Estates, Trusts, Guardianships and Charitable Bequests practice guide for the Illinois Institute of Continuing Legal Education (IICLE), 2020

Drafting Settlement Agreements in Trust and Estate Disputes, co-author, Estate Planning Journal, June 2019

Oral Contracts To Make Wills: Joint and Mutual Wills, co-author of Chapter 2 of Litigating Disputed Estates, Trusts, Guardianships and Charitable Bequests practice guide for the Illinois Institute of Continuing Legal Education (IICLE), 2016

Professional Activities

- Fellow, American College of Trust and Estate Counsel (ACTEC)
- Chicago Bar Association
- Member, Trust Law Committee: (2006-present)
- Member, Probate Practice Committee: (2009-present)
- Fiduciary Exception Legislative Subcommittee: (2011-2012)
- American Bar Association – Member, RPTE Section, Committee on Trust Litigation, Ethics and Malpractice
- Chicago Estate Planning Council
- Member, Diversity Committee: (2019-present)
- Selected as "Rising Star" by "Super Lawyers" from (2012-2018) and as a "Super Lawyer" from (2019-present)