

**SUPERVISORY JURISDICTION AND ARBITRATION IN TRUSTS:
Support for Administration and Dispute Resolution**

Villa Principe Leopoldo, Via Montalbano 5, Lugano

CONFERENCE PROGRAMME LUGANO CENTRE

DATE **Thursday, 17 October 2024 / 9.45 – 17.00**

FIRST PART: SUPERVISORY JURISDICTION

09:45 REGISTRATION and COFFEE

10:00 **SUPERVISORY JURISDICTION IN COMMON LAW: ORIGIN, SCOPE, AND NATURE / Session 1**

- A brief historical introduction to the supervisory jurisdiction over trust administration
- The evolution (and fragmentation) of the supervisory jurisdiction over trust administration
- The nature of the supervisory jurisdiction over trust administration in common law jurisdictions
- Implications for the administration of trust disputes

Speaker: Daniel CLARRY, Gerard Brennan Chambers

10:45 **SUPERVISORY JURISDICTION IN CIVIL LAW: SWITZERLAND / Session 2**

- Impact of Lugano Convention and Swiss case law
- Imperative Swiss jurisdiction
- Default Swiss jurisdiction
- Application for directions in Switzerland

Speaker: David W. WILSON, Schellenberg Wittmer Ltd.

11:30 REFRESHMENTS

11:45 **SUPERVISORY JURISDICTION IN CIVIL LAW: ITALY AND SAN MARINO
Session 3**

- Details will follow

Speaker: Andrea VICARI, Vicari Avvocati (Milan)

12:30 **SUPERVISORY JURISDICTION IN CIVIL LAW: LIECHTENSTEIN / Session 4**

- Which is the origin of the supervisory jurisdiction in Liechtenstein?
- How broad is the supervisory jurisdiction in Liechtenstein as compared to other legal systems?
- Which are the competences of the Court?
- Which are the limits of the supervisory jurisdiction?

Speaker: Francesco SCHURR, University of Liechtenstein

13:15 Stand-up LUNCH and NETWORKING

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SECOND PART: ARBITRATION AND TRUSTS

14.00 **ARBITRABILITY AND ARBITRATION CLAUSES: ISSUES UNDER ITALIAN AND SAN MARINO LAW / Session 5**

- Details will follow

Speaker: **Andrea VICARI, Vicari Avvocati (Milan)**

14.45 **LEGAL PRACTICE IN ARBITRATION IN THE ESTATE PLANNING/ Session 6**

- Binding parties to trust arbitration clauses
- Representation of beneficiaries in arbitral proceedings
- Conflict of law issues and the Hague Trust Convention
- Enforceability of trust arbitration awards

Speaker: **Andrea MOJA, SLCLEX Studio Legale Commerciale**

15:30 **REFRESHMENTS**

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15.45 **TRUST AND ESTATE ARBITRATION IN SWITZERLAND: UPDATE AND RECENT EXPERIENCES / Session 7**

- Estate litigation in Switzerland: a myth or a reality?
 - Is arbitration a useful tool to settle Swiss and or international inheritance disputes?
 - What are the pros/cons of estate arbitration
 - What are the procedural difficulties linked to estate arbitration?
- Trust arbitration: Challenges and need for institutional rules?
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 - What are the pros/cons of estate arbitration
 - What are the procedural difficulties linked to estate arbitration?

Speakers: **Werner JAHNEL and Sebastien ZULIAN, LALIVE**

17:00 **CLOSE OF THE DAY**

September 2024