



Shaheen I. Imami

Shareholder

Chattanooga | 423.209.4103 | sImami@bakerdonelson.com

Shaheen Imami works with clients on matters concerning trusts, estates and probate, with an emphasis on trust and estate litigation, administration and planning, including fiduciary duties, fiduciary reporting and accountings, and related tax returns.

Mr. Imami has more than 25 years of experience working with clients on complex matters concerning trusts and estates. He specializes in drafting and amending a broad range of estate planning documents, such as wills, revocable and irrevocable trusts, powers of attorney, and patient advocate designations for clients of different means and needs, whether complex or simple. He also counsels clients in the areas of estate administration and estate planning matters. He advises and represents fiduciaries and beneficiaries in pre- and post-death administration and litigation matters, including will/trust contests, interpretation issues, and alleged breaches of fiduciary duty. He also assists his clients with preparing fiduciary income, gift, and estate tax returns, as well as acting as an expert witness in related practice areas. His extensive experience with the "three legs" of the trusts and estates practice (i.e., planning, administration, and litigation) is uncommon, but allows him to advise, counsel, and represent clients effectively and practically.

A Fellow of the American College of Trust and Estate Counsel (ACTEC) since 2013, Mr. Imami has been an active member of and contributor to numerous substantive and administrative committees within the organization and he served as Michigan State Chair. Prior to moving to Tennessee from Michigan, Mr. Imami was an active member of the State Bar of Michigan, having been a member of various workgroups and committees and serving as the past chair of the Probate and Estate Planning Section. He successfully completed the rigorous 40-hour General Civil Case Mediator Training conducted by the Institute of Continuing Legal Education and is a certified civil mediator in Michigan.

Mr. Imami has authored or co-authored several articles and chapters in publications related to trusts and estates. In addition, he is a regular speaker and contributor to seminars sponsored by ACTEC, Michigan's Institute of Continuing Legal Education, and other local and state organizations on topics related to trusts, estates, and probate matters.

Representative Matters

- Successfully negotiated a resolution ensuring a client-devisee's interest in a decedent's multimillion-dollar post-death estate based on a deathbed will and obtaining a reduction of attorney fees charged by the prior personal representative's counsel by more than \$600,000.
- Negotiated a resolution and successfully removed a trustee accused of asset misappropriation and breaches of fiduciary duty in a multimillion-dollar irrevocable trust established for the client-beneficiary's benefit.
- Successfully assisted client-trustees in resolving disputes with other trustees involving the administration and distribution of their parents' post-death estate that had languished for nearly 20 years because of an inability to agree on the allocation of farmland, income and, expenses.
- Achieved a favorable outcome after defending a client against protective proceedings accusing him of incapacity and the general inability to manage his own financial and personal affairs.
- Achieved a successful outcome in defending against a challenge to the validity of an estate plan by a settlor's alleged out-of-wedlock children involving a multimillion-dollar post-death estate and closely-held business and received a successful outcome.

- Represented a client in the successful defense against a challenge by a remainder beneficiary to the validity of the settlor's estate plan and provision for the client-spouse where the challenge sought to escape the applicable statute of limitation by recharacterizing the remainder beneficiary's claim as a request to modify the trust instrument; then, successfully asserted the "no contest" provision in the trust instrument against the remainder beneficiary.
- Defended a client against attempts by another beneficiary to assert claims alleging misappropriation of assets of and debts owed to a deceased settlor where such claims, to the extent they ever existed, belonged solely to the personal representative and trustee, eventually resulting in a settlement that preserved the bulk of the client's beneficial interest in the post-death estate.
- Prosecuted the removal of a trustee-child for failing to properly account for the trust's assets and to maintain accurate books and records, as well as for a conflict of interest where the trustee-child executed a care-services contract for the incapacitated settlor allowing for payment to the trustee-child for caregiver services.
- Successfully negotiated a settlement against a trustee who improperly terminated an irrevocable life insurance trust by cashing in the underlying life insurance policy without conducting proper due diligence.
- Successfully defended challenges by an incapacitated settlor's significant other to the settlor's multimillion-dollar estate plan and ensuring the client-child's role as the settlor's trustee, agent and designated patient advocate, and restoring the client-child's ability to visit with the settlor.
- Negotiated a successful outcome on behalf of the client for numerous resignations of trustees accused of breaches of fiduciary duty ranging from misappropriation of assets to arbitrary decisions intended to deny beneficiaries of their rights to income or principal.
- Assisted a client-trustee in successfully recovering \$1,000,000 which had been improperly distributed to a surviving spouse's amended trust which excluded the first-to-die settlor's children who would have received shares under their parent's trust.
- Defended the validity of a trust established by a settlor who assumed the name of his predeceased sibling and maintained several identities prior to his death.
- Negotiated a settlement of claims against a client-trustee for alleged misappropriation of assets and breaches of fiduciary duty in a multimillion-dollar trust.
- Successfully negotiated a settlement to restore a client's beneficial interest in her parent's multimillion-dollar post-death estate where the parent's estate plan was amended a short time before her death to exclude her children and solely benefit the nephew of the settlor's late husband.
- Successfully assisted a co-trustee in the proper exercise of discretion regarding a current beneficiary's request for a substantial and continuing principal distribution where the grant of the request would have substantially impacted the remainder beneficiaries.
- Assisted a client in successfully obtaining a modification of an irrevocable trust to convert a discretionary trust to a unitrust to allow for consistent distributions to the client.
- Successfully defended an appeal for a client-trustee before the Michigan Court of Appeals on the interpretation of a trial court's authority to refer an arbitration award back to the arbitrator for clarification or modification.



Professional Honors & Activities

- Certified civil mediator pursuant to Michigan Court Rule 2.411
- Listed in *Chambers USA High Net Worth* in Michigan Private Wealth Law (2019 – 2020) and Tennessee Private Wealth Law (2021– 2023)
- Listed in *The Best Lawyers in America*® for Trusts and Estates (2013 – 2024); Trusts and Estates Litigation (2012 – 2024)
- Named the Best Lawyers® 2022 Trust and Estates "Lawyer of the Year" in Chattanooga
- Michigan Super Lawyers – Trust & Estate Litigation (2014 – 2021); Rising Star (2008)
- dbusiness Top Lawyer for 2013, 2015 – 2018 (Trusts and Estates)

- AV® Preeminent™ Peer Review Rated by Martindale-Hubbell (Trusts & Estates Law and Litigation)
- Member – Cambridge Forum on Private Wealth Litigation, Steering Committee (2017 – present)
- Participant – Cambridge Forum on Private Wealth Law (2019 – present)
- Fellow – American College of Trust and Estate Counsel (ACTEC)
 - Board of Regents (2024 – 2025)
 - Fiduciary Practice Committee (Fiduciary Matters subcommittee)
 - Fiduciary Litigation Committee (Fiduciary Responsibility subcommittee)
 - Long Range Planning Committee
 - Program Committee
 - State Chair of Michigan
 - Joint ACTEC/National College of Probate Judges Task Force
- Member – State Bar of Michigan
 - Probate and Estate Planning
 - Litigation
 - Business Law and ADR Section
 - Appellate
 - Elder Law
- Member – American Bar Association
 - Real Property, Trust, and Estate Law Section
- Member – Tennessee Bar Association
- Member – Oakland County Bar Association
- Member – Wayne County Probate Bar Association
- Member – Estate Planning Council of Chattanooga
- Member – Chattanooga Tax Practitioners
- State Court Administrative Office of the Michigan Supreme Court – Lessons Learned Workgroup (2020). Tasked with assessing impact of COVID-19 on courts, attorneys, litigants, and other stakeholders, and how to prepare better for similar events in the future.
- State Bar of Michigan Civil Discovery Committee – Probate Rules Subcommittee (2017 – 2018). Work resulted in adoption of new civil discovery rules outlined in ADM File No. 2018-19, pursuant to an Order of the Michigan Supreme Court, dated June 19, 2019.
- State Bar of Michigan – Probate Limited Scope Representation (2018). Work resulted in proposal outlined in ADM File No. 2019-04, dated June 19, 2019.
- Chairperson and Member of the Nominating Committee of the Probate and Estate Planning Section (2016 – 2019)
- Co-Chairperson of the Committee on Updating Michigan Estate/Trust Law of the Probate and Estate Planning Section (2010 – 2012)
- Co-Chairperson of the Committee on Probate Appeals and Jury Trials of the Probate and Estate Planning Section (2010 – 2011)
- Chairperson of an ad hoc committee of the Probate and Estate Planning Section to review and comment on the proposed M Civ JI Chapter 179 for trust contests published for comment by the Committee on Model Jury Instructions (2011)
- Former Co-Chairperson of the Contested and Uncontested Proceedings Committee of the Probate and Estate Planning Section (2008 – 2010)
- Former Co-Chairperson of the Specialization and Certification Committee of the Probate and Estate Planning Section and charged with creating a pilot project for attorney specialization in Michigan (2007 – 2008)
- Member of the Committee on Service to Members of the Probate and Estate Planning Section (2010 – 2011)
- Member of the Committee on Unauthorized Practice and Multidisciplinary Practice of the Probate and Estate Planning Section (2010 – 2011)

- Ad hoc member of the Transfer Tax Committee for the Probate and Estate Planning Section
- Member of the Probate Advisory Committee for the Institute of Continuing Legal Education (2007 – 2018)
- Member of the EPIC Panel (last maintained by the Institute of Continuing Legal Education) administered by the Hon. Phillip E. Harter (retired)
- Recipient of the Probate Certificate from the Institute of Continuing Legal Education (2005)



Publications

- Co-author – "Breach of Fiduciary Duties, Michigan Probate Litigation – A Guide to Contested Matters," *Institute of Continuing Legal Education* (2005 – 2019)
- Co-author – "Trustee Duties & Liabilities, Trust Administration in Michigan," *Institute of Continuing Legal Education*, 2nd Ed. (2005 – 2019)
- Co-author – "Revocable Grantor Trusts & the Taxable Estate, Michigan Revocable Grantor Trusts," *Institute of Continuing Legal Education*, 2nd Ed. (2000 – 2019)
- "The Probate Judge Ordered Mediation – Now What?," *Michigan Probate & Estate Planning Journal* (Fall 2002)



Speaking Engagements

- Panelist – "Community Foundation: Creating a Supporting Organization," Chattanooga Bar Association (October 2023)
- "Directed Trusts Laws and Related Uniformed Acts," Trust and Estate Talk, American College of Trust and Estate Counsel (ACTEC) podcast (July 2023)
- Speaker and Contributor – "It's Not My Fault.... They Made Me Do It: An Update on Directed Trusts," American College of Trust and Estate Counsel 2023 Annual Meeting (March 2023)
- "Representing Clients with Diminished Capacity: The Whole Is Greater than the Sum of the Parts," 62nd Annual Probate & Estate Planning Institute, co-sponsored by the Institute of Continuing Legal Education and the State Bar of Michigan's Probate and Estate Planning Section (May 21, 2022, and June 17, 2022)
- Panel Co-leader – "Ethics of Disclosures and the Testimony by Estate Planners," with Leiha Macauley, Cambridge Forum in Private Wealth Law (May 2022)
- "Breaches Involving Directed or Separate Trustees – Who's Left Holding the Bag?," Cambridge Forum on Private Wealth Litigation (September 2021)
- Panel Leader – "Breaches Involving Directed or Separate Trustees – Who's Left Holding the Bag?," Cambridge Forum on Private Wealth Litigation (September 27-29, 2021)
- Panelist – "LET'S BE CLEAR! Drafting to Minimize Litigation and Disputes," American College of Trust and Estate Counsel 2021 Summer Meeting (June 2021)
- Panel Co-leader – "Winterfell, Iron Islands or Dorne: Where Will the Battle Rage and Which Kingdom Will Rule?," Cambridge Forum on Private Wealth Litigation (February 2021)
- "Loose Lips Might Sink Ships – The Ethics of Disclosures & Testimony by Estate Planners: Tips, Tools and Trade Secrets," 2020 Annual Meeting of the American College of Trust and Estate Counsel (Seminar A) (March 2020)
- "Premarital Agreements After Allard," 58th Annual Probate and Estate Planning Institute (May 2018)
- "What's in a Name? Fiduciary Types and Duties in the 21st Century," 2018 Annual Meeting of the American College of Trust and Estate Counsel, Fiduciary Litigation Committee (March 2018)
- "Top 10 Estate Planning & Administration Mistakes that Lead to Litigation," 56th Annual Probate and Estate Planning Institute (May 2016)
- "Administration of Trusts Under the Michigan Trust Code – Judicial Proceedings During Trust Administration," Institute of Continuing Legal Education (2010, 2012, 2015 and 2018)

- "Fundamentals of Estate Administration – Claims Against the Estate & the Personal Representative's Role in Litigation," Institute of Continuing Legal Education (2004 – 2007, 2009, 2011, 2013 and 2015)



Webinars

- Estate Planning with Electronic and Regulated Assets (November 2022)
- ACTEC Webinar: Let's Be Clear! Drafting To Minimize Litigation and Disputes (June 2021)



Education

- Georgia State University College of Law, J.D., 1995
- Michigan State University, B.A., Accounting, 1991



Admissions

- Tennessee, 2022
- Michigan, 1995
- U.S. District Court for the Eastern District of Michigan, 1995