RIGBY COOKE LAWYERS

Rachael Grabovic

Partner & Notary Public
Accredited Specialist in Wills & Estates Law

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Rachael Grabovic is an Accredited Specialist in Wills & Estates Law with extensive experience in the areas of complex estate and business succession planning, wills, trusts and estate litigation.

Rachael works exclusively in this area and her experience spans both private practice and within corporate Australia (including advising high-net-worth clients at a major Australian bank). She has also worked in the trustee industry for over seven years providing bespoke succession and estate planning advice to high-net-worth individuals across Australia.

While protecting your wealth should be a priority, the law is complex and knowing where to start can be difficult. Rachael works with her clients to design tailored and strategic succession planning solutions to suit their circumstances, preferences, objectives and needs. For complex estate, trust and business issues, Rachael is there every step of the way, applying her comprehensive understanding of the law, to develop tailored strategies that will achieve the best outcome for them and future generations.

Rachael is also a Notary Public.

Expertise

Wills, Trusts & Estates

Notary Public

Specialisation

Wills and estates

Trusts

Succession planning

Asset planning and protection

Private charitable trusts

Significant experience

Family business succession and estate planning

- Working with the Tax and Corporate & Commercial teams in the regular review of the succession issues of family businesses to implement strategies to achieve their lifetime and testamentary objectives.
- Working with high-net-worth clients in the establishment of private ancillary funds and the drafting of charitable foundations in their Wills.
- Working with a family business to restructure their business to ensure their succession and testamentary wishes can be fulfilled.
- Reviewing trust and company documents as part of the estate planning process and preparing appropriate documentation such as deeds of variation and letters of wishes and or intentions.
- Estate planning advice which involves a complete review of both personal and financial circumstances (family trusts, businesses, corporations, shareholder and unitholder agreements, overseas assets etc) followed by the implementation of strategies tailored to reflect testamentary objectives.
- Review of superannuation trust deeds (SMSF) to deal with issues of incapacity and death of a member/trustee.
- Drafting and advising on Wills ranging from simple to complex (including those incorporating testamentary discretionary trusts).

Qualifications

Accredited Specialist in Wills & Estates Law

Trust & Estates Practitioner

Bachelor of Laws, *Griffith University*

Bachelor of Commerce (Hons), *Griffith University*

Bachelor of Arts, *La Trobe University*

Diploma in Education, *La Trobe University*

Graduate Diploma in Financial Planning, *FINSIA*

Significant experience, cont.

- Preparing various powers of attorney, including general, enduring (financial and personal) and enduring (medical treatment).
- Advising on various taxation aspects of Wills and estates.

Trusts

- Assisting a family business extend the vesting date of the discretionary trust, which operated the family business. Required an application to the Supreme Court.
- Application to the State Revenue Office for Private Rulings and stamp duty exemptions in relation to trusts and the transfer of real property.
- Reviewing superannuation trust deeds and advising on death benefit nominations.
- Preparation of Discretionary Trust Deeds, Deeds of Variation, Deeds of Appointment, Deeds of Distribution, Deeds of Gift, Deed of Forgiveness, Deeds of Family Arrangement etc.

Estate and trust litigation

- Representing a beneficiary in a family provision claim against an estate valued in excess of one billion dollars, including dealing with all of the complexities that arise from an estate of that size.
- Representing an estate in complex estate litigation which involved questions of marital and de facto status, immigration and whether the Will signed a number of months before the marriage was made in contemplation of marriage or was revoked by the marriage, ultimately resulting in a Grant of Probate of the Will.
- Acting for a complex estate involving beneficiaries in multiple jurisdictions and international assets. Advice involving trusts, international trusts, international and domestic taxation issues and an Order 54 applications to the Supreme Court.
- Acting for one of the appointed executors of an estate to seek the removal of all of the executors and the appointment of a Trustee Company. This action was taken after many failed attempts to unite the executors in order to file an application for Probate.
- Litigation for and against persons seeking further provision from a deceased estate under Part IV of the Administration and Probate Act.
- General trust and estate litigation.

Estate advice

- Obtaining simple and complex grants of representation including probate and reseals of interstate and overseas grants.
- Advising executors, beneficiaries and third parties in relation to estate administration.
- Acting for executors of estates that are impacted by the laws of forfeiture due to the unlawful killing of the testator by a beneficiary.

Memberships

Law Institute of Victoria

Society of Trust and Estate Practitioners

The Society of Notaries of Victoria

Directorships

Committee Member, Law Institute of Victoria, Wills & Estates Specialisation Committee

Trustee of the Betty Amsden Foundation

Former Director, Society of Trust & Estate Practitioners (**STEP**) Australia (2016-2021)

Former Chair, Society of Trust & Estate Practitioners (**STEP**) Victoria Branch (2016-2019)

Former Secretary, Society of Trust & Estate Practitioners (**STEP**) Victoria Branch (2013-2016)

Former President and Board Member of the Footscray YMCA