



## C. RAYMOND RADIGAN / OF COUNSEL

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### EDUCATION

- Brooklyn Law School (J.D., 1961)
- Brooklyn College (B.A., 1957)

### PRACTICE AREAS

- Alternative Dispute Resolution
- Estate Litigation
- Trusts & Estates

Judge C. Raymond Radigan, retired Nassau County surrogate, serves as counsel to the Trusts & Estates Department. He is chair of Ruskin Moscou Faltischek, P.C.'s Mediation Solutions Group. His practice focuses on estate and trust litigation, estate administration and estate planning.

He served as the judge of the Nassau County Surrogate's Court for 20 years after he was first elected in 1981. Previously, he served the Nassau Surrogate's Court as chief clerk and deputy chief clerk, and as a law assistant to Surrogate John D. Bennett. As chair of the Advisory Committee to the Legislature on the Estates Powers and Trusts Law, and the Surrogate's Court Procedure Act, he has been a driving force in the revision and update of trusts and estates law and practice in New York State.

C. Raymond was a special professor at Hofstra Law School, an adjunct professor at St. John's University School of Law, and a former adjunct professor at Brooklyn Law School and Touro College, Jacob D. Fuchsberg Law Center. He has lectured extensively, delivering more than 100 lectures annually to a wide variety of organizations, including the Long Island Estate Planning Council, Cornell University Law School, New York Law School, Columbia Law School, Pace Law School, New York State Bar Association, City Bar of New York, the bar associations of Kings, Queens and Westchester counties, New York County Lawyers Association, and numerous other professional, business and social service organizations.

He is member of the American Bar Association, New York State Bar Association, Nassau County Bar Association and its Decedent Estate Committee, Long Island Lawyers Association, National College of Probate Judges, and New York State Bar Association Judicial Section where he served as president of the Judicial Council and as a former delegate to the House of Delegates.

He is also former chair of the Executive Committee of the Surrogates Association, chair of the Advisory Committee to the Legislature on EPTL and SCPA and former chair of the Committee to Examine the Effectiveness of the Fiduciary Appointment Rule.

In addition, C. Raymond is a fellow of the American College of Trust and Estate Counsel (“ACTEC”), member of Federal and New York Bar, Knight of Malta, a former president of the Society of the Friendly Sons of St. Patrick, a member of the New York State Guard, where he served as colonel, and editor of several trust and estate publications. He is also a Certified Arbitrator and Mediator by the American Arbitration Association.

## Awards

- Estate Planning Council of Suffolk County, 1980.
- Surrogates Law Association, 1981.
- United Cerebral Palsy Association of Nassau County, 1985.
- Nassau Lawyers Association of Long Island, 1988.
- Great Neck Lawyers Association, 1989.
- Columbian Lawyers Association, 1990.
- Parkville Youth Organization, 1992.
- International Association for Financial Planning, 1992.
- Catholic Lawyers Guild of the Diocese of Rockville Center, Judiciary Award, 1992.
- New York State Bar Association House of Delegates, 1992.
- Nassau County for Community Service.
- Court Officers Benevolent Association, Fidelis Juri Award, 1997.
- Man of the Year, Friendly Sons of St. Patrick.
- Friends of the Arts.
- USA and Diabetes Association.

## Publications

- Coauthor, New York Estate Administration, West Publishing.
- Surrogate’s Forms with Commentary for Computer Use, DatalexBender’s New York Practice, (SCPA-EPTL).
- Warren’s Heaton Surrogate’s Courts.

## Articles

- Dead Man’s Statute, *New York State Bar Journal*.
- “Estate Practice Guide,” *Nassau County Bar Association Bulletin*.
- “Guidelines for Guardian ad Litem.”

## PUBLICATIONS

- How Final Is a Decree Based Upon Virtual Representation? (*Articles, Trusts and Estates*)
- SCPA Article 17 Guardianships: How To Invest for a Minor (*Articles, Trusts and Estates*)
- Thoughts on Court Consolidation, Revisited (*Articles, Trusts and Estates*)
- Accounting for Fiduciaries' Actions (*Articles, Trusts and Estates*)
- Asserting Affirmative Defenses To Objections in Accounting Proceedings (*Articles, Trusts and Estates*)
- Is the Third Time the Charm? NYS Assembly Considers Amendment Increasing Individual Charitable Trustee Commission in 2021 Legislative Session (*Articles, Trusts and Estates*)
- Accessing Safe Deposit Boxes Owned By Allegedly Incapacitated Persons (*Trusts and Estates*)
- New York's New Statutory Power of Attorney (*Articles, Commercial Litigation*)
- Wrongful Death Compromises: A Proposal (*Articles, Trusts and Estates*)
- Joint Bank Accounts: Friend or Foe? (*Articles, Trusts and Estates*)
- My Kidney to Yours: The Organ Shortage Crisis (*Articles, Trusts and Estates*)
- Estate Pitfalls in Divorce And Separation Agreements (*Articles, Trusts and Estates*)
- Consider the Potential Benefits of Mediation Or Referees During the Pandemic (*Articles, Trusts and Estates*)
- Implications of DNA Registries For Trust and Estate Practitioners (*Trusts and Estates*)
- The Future of Mediation In Trusts and Estates (*Trusts and Estates*)
- Thoughts on Court Consolidation: The Surrogate's Court (*Trusts and Estates*)
- Anatomy of a Probate Contest, Part 5: The Trial (*Trusts and Estates*)
- Anatomy of a Probate Contest, Part IV: Objections in a Probate Proceeding (*Trusts and Estates*)
- Freedom or Life: Does a Living Will Truly Serve Its Creator? (*Trusts and Estates*)
- Anatomy of a Probate Contest Part 3: SCPA 1404 Examinations (*Trusts and Estates*)
- Anatomy of a Probate Contest, Part 2: The Probate Petition and Jurisdiction (*Trusts and Estates*)
- Anatomy of a Probate Contest, Part I: Planning to Avoid a Contest (*Trusts and Estates*)
- Mediation as an Alternative To Estate Litigation (*Trusts and Estates*)
- Partial Probate in New York (*Trusts and Estates*)
- Presumption of Death: What Happens When an Individual Vanishes From Society? (*Trusts and Estates*)
- The Facts and Misconceptions Between Undue Influence and Mental Capacity (*Trusts and Estates*)
- Protecting Digital Assets in a Digital Age (*Articles, Trusts and Estates*)
- Nominating a Guardian- Ad Litem Pursuant to SCPA Article 4 (*Trusts and Estates*)
- Time for a Second Look: Revisiting New York's Proposed Directed Trust Statute (*Trusts and Estates*)
- EPTL §2-1.5: How and When Can A Done Acknowledge an Advancement? (*Trusts and Estates*)
- Considerations When the Proposed Article 17 A Guardian May Not Be Suitable (*Trusts and Estates*)
- Proposed New York Trust Code (*Trusts and Estates*)
- Practical Concerns When Settling a Wrongful Death Action (*Trusts and Estates*)
- Mortmain Statutes and Restrictions On Testamentary Gifts to Charities (*Trusts and Estates*)
- Balancing Competing Concerns: Law Of Organ Donation and Transplantation (*Trusts and Estates*)

- Article 17-A Guardianship Statute: Still Alive and Well (Articles, Trusts and Estates)
- Recent Tax Court Ruling on Crummey Trusts (Articles, Trusts and Estates)
- Estate Tax Apportionment and Ratable Contribution to Elective Share (Articles, Trusts and Estates)
- Using a Power of Attorney To Conduct Litigation Strategy (Articles, Trusts and Estates)
- Clarifying When and Whether Divorce Revokes Bequests (Articles, Trusts and Estates)
- Third-Party Miscellaneous Proceedings in Surrogate's Court (Articles, Trusts and Estates)
- The Right of Election and Tax Apportionment (Articles, Trusts and Estates)
- Statutory Inheritance Rights of a Posthumously Conceived Child (NYLJ, January 2015) (Articles, Trusts and Estates)
- Filing A Bond by a Preliminary Executor (Articles, Trusts and Estates)
- Interplay of Health Care Proxy and Living Will (New York Law Journal) (Articles, Trusts and Estates)
- Changes to New York's Estate and Trust Income Tax Laws (NYLJ, May 2014) (Articles, Trusts and Estates)
- The Evolution of Prudence in Trustee Investing – New York Law Journal 7-9-13 (Articles, Trusts and Estates)
- Annual Exclusion Gifts to Minors (NYLJ, May 2013) (Articles, Trusts and Estates)
- 'Knox,' the Prudent Investor and Fiduciary Duties – New York Law Journal, 9-18-2012 (Articles, Trusts and Estates)
- Need for Slayer Statute to Determine Effect of Homicide on Property Rights (Articles, Trusts and Estates)
- New York Needs a Directed Trust Statute – New York Law Journal, 11/20/12 (Articles, Trusts and Estates)
- Extent of Surrogate's Court Jurisdiction (Articles, Trusts and Estates)
- Till Death Do Us Part: Post-Death Annulment of Marriage and the Right of Election – NYSBA Trusts and Estates Law Section Newsletter, Winter 2009 (Articles, Estate Litigation)
- Article 17-A Proceedings Remain an Important Tool – New York Law Journal, 1/6/10 (Articles, Estate Litigation)
- Privity and the Role of Limited Letters in Legal Malpractice Actions – New York Law Journal, 11/22/10 (Articles, Estate Litigation, Trusts and Estates)
- Applying Equitable Estoppel to Deathbed Marriages – New York Law Journal, 5/13/10 (Articles, Trusts and Estates)
- The Evolution of Trust Reformation and Modification Under New York Law – New York Law Journal, 7/9/12 (Articles, Trusts and Estates)
- Analyzing New York Estate Tax Law as Federal Proposals Loom (Articles, Trusts and Estates)
- Duress: a Separate Objection to Probate (Articles, Trusts and Estates)
- New Uniform Trust Code to Be Submitted to Legislature (Articles, Trusts and Estates)
- Self-Dealing Fiduciaries: What Is the Appropriate Standard? (Trusts and Estates)
- Self-Dealing Fiduciaries: What Is the Appropriate Standard? – New York Law Journal, 11/15/11 (Articles, Trusts and Estates)
- Rulings on Trustee's Duty to Diversify: What Have We Learned? (Articles, Trusts and Estates)
- Subject Matter Jurisdiction In the Surrogate's Court – New York Law Journal, 3/14/11 (Articles, Trusts and Estates)
- Does New York Need a Trust Code? – New York Law Journal, 1/31/11 (Articles, Trusts and Estates)
- Advisory Committee: Recommendations on Right of Election Statute (Articles, Trusts and Estates)
- Extraordinary Circumstances Required for Surrogate's Court Advice and Direction (Articles, Trusts and Estates)