



JOHN G. FARINACCI / PARTNER

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O: 516.663.6628 F: 516.663.6828

EDUCATION

- Widener University School of Law (J.D. 1997)
- St. Johns University (B.A. 1994)

PRACTICE AREAS

- Estate Litigation
- Trusts & Estates

John Farinacci represents clients in all aspects of trust and estate law, including estate planning, probate, estate and trust administration, Surrogate's Court practice and guardianships. His practice is most heavily concentrated in estate litigation, trust litigation and related disputes.

John has successfully handled numerous contested cases including both the prosecution and defense of contested probates/will contests, will and trust construction proceedings, contested fiduciary accounting proceedings, imprudent fiduciary investment cases, contested guardianship proceedings, kinship proceedings, discovery and turnover proceedings, constructive trust proceedings, and a broad variety of other disputes that relate to the affairs of a decedent or administration of an estate or trust.

He is a partner and cochair of Ruskin Moscou Faltischek, P.C.'s Trusts and Estates Department.

John handles appeals, as well as cases, at the trial court level. He has argued numerous appeals in the NY State Supreme Court, Appellate Division and successfully argued an appeal in NY's highest court, the NY State Court of Appeals.

His clients have included individual beneficiaries, heirs, executors, trustees and corporate fiduciaries.

He frequently lectures in continuing legal education programs of law on various trusts and estates topics and serves on the board of trustees of the Long Island Children's Museum.

John began his career in Surrogate's Court practice as an intern with the Nassau County Surrogate's Court (Hon. C. Raymond Radigan) in 1996.

Professional Associations

- New York State Bar Association Trusts and Estates, member since 1998
- Current member of the Executive Committee
- Current chair of the Estate Litigation Committee
- Past vice-chair of the Continuing Legal Education Committee
- Past chair of the Surrogate's Court Committee
- Nassau County Bar Association Surrogate's Court Estates and Trusts committee member since 1998
- Past chair
- Columbian Lawyers Association of Nassau County member since 2013
- Trustee of the Long Island Children's Museum

Honors and Awards

- Super Lawyers: 2015, 2016, 2017, 2019, 2020 and 2021 selectee for New York Metro
- Long Island Business News' 40 under 40 Award. 2007 honoree.
- New York State Bar Association: 12-time recipient of certificates of appreciation for the contribution of time, effort and ability in improving the professional competence of the bar.
- Nassau Academy of Law: Presented with certificates of merit for service and expertise for the advancement of legal jurisprudence

Blogs

- "A Matter of Convenience: From Bank Accounts to Real Property," Lexis Nexis Estate Practice and Elder Law Blog, 6/11/15.
- "Rules Concerning Non-party Subpoenas Finally Made Uniform," Lexis Nexis Estate Practice and Elder Law Blog, 4/29/14.
- "Abandonment Cases in Surrogate's Court Present Difficult Factual Issues," Lexis Nexis Estate Practice and Elder Law Blog, 2/18/14.
- "Estate Failed to Prove Museum's Laches on Claim to a 3,000 Year Old Archeological Artifact Missing Since WWII," Lexis Nexis Estate Practice and Elder Law Blog, 1/06/14.
- "Spouse vs. Charity: Estate Tax Apportionment," Lexis Nexis Estate Practice and Elder Law Blog, 5/14/13.
- "Hostility as a Basis to Deny Fiduciary Appointment," Lexis Nexis Estate Practice and Elder Law Blog, 3/01/13.
- "Life Imitating Art on the Stage of the Surrogate's Court" Lexis Nexis Estate Practice and Elder Law Blog, 8/08/12.

- “Summary Judgment in Will Contests: An Epilogue,” Lexis Nexis Estate Practice and Elder Law Blog, 3/20/12.
- “Summary Judgment in Will Contests: Matter of Lubin,” Lexis Nexis Estate Practice and Elder Law Blog, 2/13/12.

PUBLICATIONS

- Twenty-Five Ruskin Moscou Faltischek Attorneys Named As New York Metropolitan Area Super Lawyers For 2021
(Press Releases)
- Seventeen Ruskin Moscou Faltischek Attorneys Named As New York Metropolitan Area Super Lawyers For 2020
(Press Releases)
- Estate Pitfalls in Divorce And Separation Agreements (*Articles, Trusts and Estates*)
- Anatomy of a Probate Contest, Part 5: The Trial (*Trusts and Estates*)
- Fifteen Ruskin Moscou Faltischek Attorneys Named As New York Metropolitan Area Super Lawyers for 2019 (*Press Releases*)
- Law, Love & Marriage (*Trusts and Estates*)
- In ‘Bellwether,’ Judge Rejects Spousal Share for Caretaker (*Trusts and Estates*)
- The Facts and Misconceptions Between Undue Influence and Mental Capacity (*Trusts and Estates*)
- Ruskin Moscou Faltischek, P.C. Wins Landmark Victory in Predatory Marriage Case (*Press Releases*)
- Sixteen Ruskin Moscou Faltischek Attorneys Named as New York Metropolitan Area Super Lawyers for 2017 (*Press Releases*)
- Balancing Competing Concerns: Law Of Organ Donation and Transplantation (*Trusts and Estates*)
- Estate Tax Apportionment and Ratable Contribution to Elective Share (*Articles, Trusts and Estates*)
- The Right of Election and Tax Apportionment (*Articles, Trusts and Estates*)
- ‘Knox,’ the Prudent Investor and Fiduciary Duties – New York Law Journal, 9-18-2012 (*Articles, Trusts and Estates*)
- From Greiff to Campbell and Berk (*Articles, Trusts and Estates*)
- The Judicial Evolution of Spousal Protection Under Estates Law (*Articles, Trusts and Estates*)