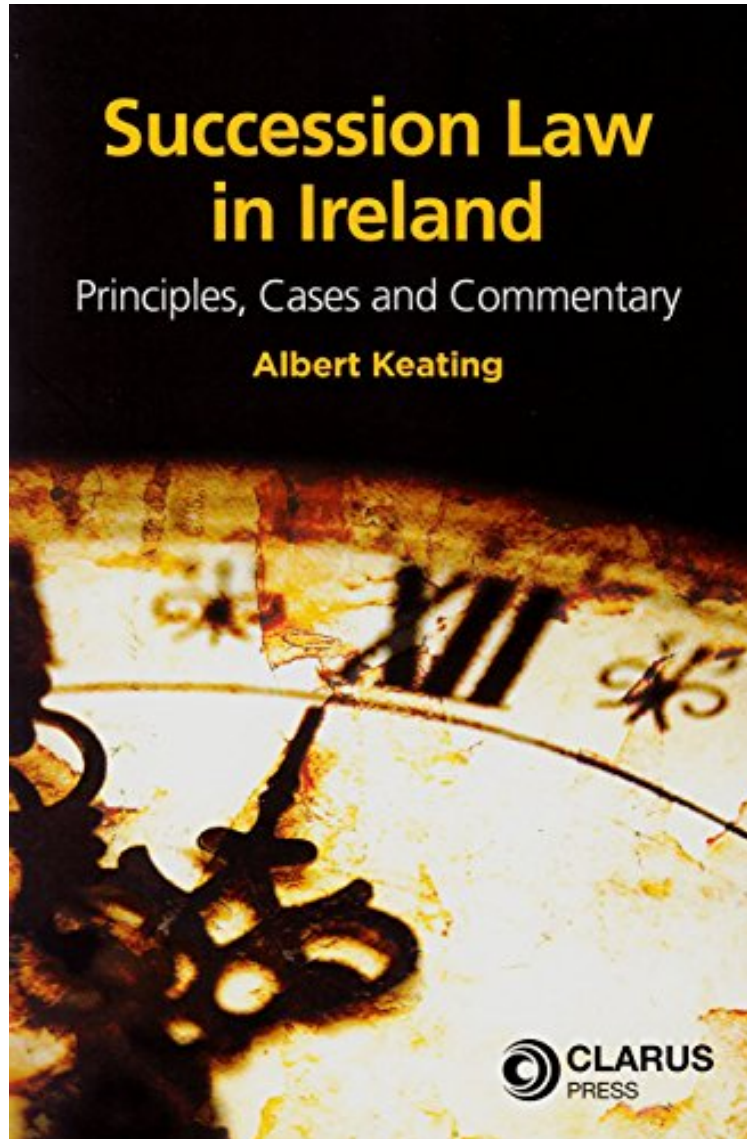


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# Succession Law in Ireland: Principles, Cases and Commentary

*Albert Keating*

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Succession Law in Ireland: Principles, Cases and Commentaries is not a case book in the traditional sense. The use of

cases in this work is done with the purpose of discerning the key principles, criteria and prerequisites applied by the courts in arriving at their decisions, knowledge of which is essential to practitioners and students in the field of succession law. *Succession Law in Ireland: Principles, Cases and Commentaries* contains 16 chapters. Each chapter is structured in the following way: the subject matter; the legislation, principles, criteria or prerequisites relevant to the subject matter; reference to cases and the application of principles, criteria or prerequisites to the issues, and the findings of the courts; Author's commentaries appear at the end of each chapter. The contents cover diverse topics such as: execution of wills; testamentary capacity and undue influence; the revocation and revival of wills; class gifts and powers of appointment the legal right of spouses and civil partners; s 117 applications unworthiness to succeed and disinheritance the construction of wills; the issue of costs; equitable concepts and doctrines; foreign elements; the duty of care of solicitors; accountability and privilege; gifts taking effect on death; the validity of proceedings; the limitation of actions. Instances of the type of principles, criteria and prerequisites include the Kearns' Principles devised by Kearns J (as he then was) in *In the Estate of ABC, XC v RT* [2003] 2 IR 250 were derived from previous cases involving s117 applications to the courts by children of testators, the Lowry Principles devised by Lowry LCJ in *Heron v Ulster Bank Ltd* [1974] N.I. 44 are applied in cases dealing with the construction of wills, the Fennelly Criteria in *Corrigan v Martin*, Unreported, High Court, Fennelly J, 13 March, 2006, are referred to whenever the provisions of s 9 of the Civil Liability Act 1961 and the periods of limitation for bringing actions against the estates of deceased persons become an issue, and the prerequisites of the equitable doctrine of proprietary estoppel formulated by Laffoy J in *Coyle v Finnegan and Finnegan* [2013] IEHC 463. [Subject: Irish Law, Family Law, Inheritance Law]