



Robert J. Selsor

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Areas of Practice

- Fiduciary Litigation
- Alternative Dispute Resolution

Education

- University of Missouri
J.D.
B.A., Economics
- Victoria University-Wellington,
New Zealand
Certificate of Proficiency, Public
International Law

Bar Admissions

- Missouri
- Illinois

Court Admissions

- United States Supreme Court
- U.S. Court of Appeals, Seventh
Circuit
- U.S. District Court, Eastern
District of Missouri
- U.S. Court of Appeals, Eighth
Circuit
- U.S. District Court, Southern
District of Illinois
- U.S. District Court, Central District
of Illinois

Experience

Robert Selsor is committed to representing, counseling, and protecting his clients in a variety of estate and trust disputes, including trustee claims, will and trust contests, estate asset recovery, contested guardianships, and a variety of other fiduciary claims at the trial and appellate levels. Bob also regularly advises and guides trustees and beneficiaries regarding ongoing trust administration to help them to avoid liability issues before disputes have fully materialized. He is also an authority on cases involving disinherited spouses, biological heirship and legitimation, as well as church-related trust cases involving departing congregations. By taking the time to understand his clients' unique situations, Bob uses his extensive experience to craft tailored legal advice geared toward each matter and careful strategies designed to achieve his clients' goals. His practice is divided approximately equally between plaintiff and defense cases.

Bob has proposed, written, revised and/or co-authored several Missouri statutes relating to trust and probate litigation including those related to no contest clauses, spousal claims, liability of holders of powers of attorney, and notice to beneficiaries of changes in the "situs," or place of administration of trusts. He is widely published in these areas. His publications have been cited in court decisions and by other practitioners and he is the author of a chapter on estate fiduciary claims in the Missouri Estate Administration Deskbook. The former Fulbright Scholar is also a popular lecturer among Missouri practitioners and is a Fellow of the prestigious American College of Trust and Estate Counsel, where he serves on the Fiduciary Litigation Committee.

Maintaining a diverse geographic practice in Missouri and Illinois, Bob is also often involved in matters in numerous jurisdictions throughout the nation. His practice has also included a variety of international probate and trust matters involving estates in Canada, Central America, the United Kingdom, and the South Pacific.

Bob has tried a large number of jury and bench trials including what is believed to be the largest contested conservatorship in Missouri history, as well as the largest fee award in a trust case against an opposing party. In addition to numerous successful outcomes at the trial and appellate level, Bob has won millions in punitive damages as well, a rare result in this area of litigation. A number of his appellate cases, including those in the Missouri Supreme Court, have helped to explain and shape the law in Missouri in the trust and probate area. In addition, he has served as a mediator in numerous estate cases with claims aggregating over \$100 million. He likewise serves as an arbitrator and has provided early neutral evaluations for litigants in both state and federal courts.

Distinctions

- Fellow, American College of Trust and Estate Counsel (ACTEC)
- Fellow, Litigation Counsel of America
- Fellow, American Bar Foundation
- Ranked in "Band One" for Private Wealth Disputes by *Chambers*, 2020-2025
- Awarded the "Lawyer of the Year" by *Best Lawyers* for Litigation - Trusts and Estates in St. Louis, 2017
- Named a Top 100 Attorney in *Missouri and Kansas by Super Lawyers*, Multiple years
- Named a Top 50 Attorney in St. Louis by *Missouri & Kansas Super Lawyers*, Multiple years
- Recognized by *Best Lawyers* from 2012-2026 in the Litigation - Trusts and Estates and Commercial Litigation
- Selected for inclusion in *Missouri & Kansas Super Lawyers*, 2005, 2007-present
- AV® Preeminent Rating, Martindale Hubbell
- Fulbright Scholar, New Zealand, 1985 (appointment by Presidential Commission)
- Who's Who in America
- Who's Who in American Law
- Recipient, 1998 University of Missouri Presidential Citation for Public Service

Affiliations

- The Missouri Bar
 - Past and Founding Chair, Fiduciary Litigation Committee
- American College of Trust and Estate Counsel
 - Member, Fiduciary Litigation Committee
- American Bar Association
 - Litigation Sections
 - Committee on Fiduciary and Trust Litigation
- Bar Association of Metropolitan St. Louis
- Illinois State Bar Association
- Lawyers Association of St. Louis
- St. Louis County Bar Association
- Zeta Phi Society Foundation - President

Publications & Presentations

“Statutory and Other Rights of the Disinherited Spouse,” Journal of The Missouri Bar, Vol. 76, No. 3 / May-June 2020

“Liberation and Liability: Duties, Claims and Defenses Regarding the Trustee's Obligation to Provide Information to Beneficiaries,” Journal of The Missouri Bar, Vol. 73, No. 6 / November-December 2017

“Power of Attorney Documents: Useful Tools for Good (and Liability Traps for Some),” St. Louis Bar Journal, Vol. 62, No. 4 / Spring 2016

“Duties and Liability of Estate Fiduciaries,” Missouri Estate Administration Desk Book, Chapter 23 supplement

“The Graying of America and the Impact on Estate Planning,” Inside Law Podcast, January 7, 2014

“Bringing Down the Prince: Issues Presented with Removing and Defending Trustees,” Journal of The Missouri Bar, Vol. 69, No. 6 / November-December 2013

“Fattening Up the Skinny Estate - The Non-Probate Transfer Statute's Remedies for Pursuing a Decedent's Assets,” Journal of The Missouri Bar, Vol. 67, No. 5 / September-October 2011

“Duties and Liability of Estate Fiduciaries,” Annual Estate & Trust Institute - MoBar CLE (multiple presentations), September 2011

“The Non-Probate Transfer Statute,” Bar Association of Metropolitan St. Louis, 2011 Fiduciary Litigation Conference

“Missouri Bar Deskbook on Estate Administration,” MoBar CLE, 2009

“Special Considerations Arising Out of the Fiduciary's Legal Status,” The Missouri Bar, 2008

“Mediation and Arbitration of Estate and Trust Disputes,” The Missouri Bar, 2006

“Anatomy of a Will/Trust Contest,” The Missouri Bar, 2005

“Litigating with Widows, Orphans and Lunatics,” The Missouri Bar, 2002

“Probate Litigation,” The Missouri Bar Probate Institute, 2000-2002

Key Matters

- Significant ruling in the Missouri Supreme Court dealing with when a trust is created/amended and the burden of proof to achieve that result. After a victory in the trial court regarding whether a grantor's handwritten letter was operative to amend his trust, the court of appeals reversed, holding that evidence and testimony of the grantor's intent should not have been admitted. But, Selsor convinced the Missouri Supreme Court to then take the case and, writing for a unanimous court, Judge Paul Wilson adopted both the primary and alternative arguments put forth by the Polsinelli team. The court issued a lengthy opinion in *Rouner v. Wise* affirming the lower court ruling.

- The Missouri Court of Appeals for the Western District adopted Bob's interpretation of the Missouri Non-Probate Transfers Law in *Estate of Merriott* and quoted extensively from an article he wrote in the Missouri Bar Journal.
- The trustee had reduced the beneficiary distributions to the point that the beneficiaries were experiencing financial pressure. Trustee then sought to personally buy them out for a price well below the value of the assets. Assets were properly valued and buyout went forward at a price many times higher than the original offer. All legal fees recovered.
- Family patriarch was quite wealthy and had recently remarried. He had a prenuptial agreement but after suffering a stroke and a very significant mental decline, his new spouse took control of his assets and began wasting them at a significant rate, and isolating her husband from his children. Guardianship and Conservatorship imposed after a length jury trial and legal fees recovered.
- Disaffected relatives brought trust contest challenging longstanding trust provisions. Substantial evidence indicated that grantor did not want the contestants to share in her estate.
- Minority shareholder had assisted in initial purchase of a company but was not active in its operation. Majority shareholder misreported the company's profitability and shared no dividends or distributions with the minority shareholder. Discovery of multimillion profits, as opposed to a break even representation for years, prompted a claim for breach of fiduciary duty. Jury verdict for clients with seven-figure punitive damages award.
- Defendant persuaded a demented relative to sign over assets that were to pass by will to other relatives. Suit was brought successfully to set aside the transfers as having been achieved through undue influence/improper means.
- Father and mother had divorced decades earlier and father had agreed to leave a portion of his estate to the couple's child as part of the divorce decree. When father died his will made no such provision. Recovery for the child in father's probate estate.
- Caregiver with power of attorney used her authority to obtain her ward's assets for herself and to disinherit other family members. Ward had severely diminished capacity at the time of the transfers. Jury verdict for clients with legal fees and punitive damages.
- Child of grantor was removed as trustee of his mother's trust. He later presented the successor trustee with a purported trust amendment disinheriting his siblings and leaving the entire estate to him. The validity of the document was successfully challenged and the method of amendment was also challenged. Affirmed on appeal.
- Extended family members sought to disqualify client from inheriting his late father's portion of a large trust on the grounds that a DNA test showed that he was not the biological child of the father. Recovery for the client on the grounds that, regardless of biological paternity, a divorce court had adjudicated paternity as part of his parents' divorce decree decades earlier.
- Trustee removal action against a trust company. Beneficiaries complained that trust company was engaged in self-dealing and was otherwise a poor administrator.

Removal of trust company for cause achieved with judgment that trust company would need to bear its own legal fees of approximately \$750,000.

- Older brother left in charge of younger brothers' seven figure trust. By the time the younger brothers reached adulthood they discovered their trustee had looted the trust. Successful action to remove trustee from office, to surcharge him for all lost funds plus half a million in punitive damages and all legal fees.

- Husband died after remarriage leaving substantial assets to his widow, but a greater portion to children and grandchildren from a prior marriage. Widow sued to take a share of the children's portion. Summary judgment entered for the children.