



952-896-3353 *direct*
952-842-1757 *fax*
mbayne@larkinhoffman.com

Areas of Law

- Tax, Trusts and Estates
- Estate Planning
- Estate and Trust Litigation
- Estate and Trust Administration
- Guardianship and Conservatorship
- Elder Law

Bar Admissions

Minnesota
U.S. District Court, District of
Minnesota
U.S. Court of Appeals, 8th Circuit

Education

William Mitchell College of Law,
St. Paul, MN; J.D.

Harvard University, Cambridge,
MA; M.Ed.

Princeton University, Princeton,
NJ; B.A.

Melissa H. Bayne

Melissa Bayne advises clients on estate planning, trust and estate litigation, probate, trust and estate administration, guardianship and conservatorship, elder law, long-term care planning, and special needs planning. She counsels and represents individuals, couples, families, personal representatives (executors), trustees, beneficiaries, heirs, guardians, and conservators.

Melissa is an experienced litigator who represents clients in trust and estate litigation and contested guardianships and conservatorships. She also has extensive experience working with individuals who have special needs, cognitive impairments, traumatic brain injuries, developmental delays, autism spectrum disorders, fetal alcohol spectrum disorders, addiction, and mental health needs.

Melissa's community service focuses on advocacy for children and adults with special needs. She serves as a volunteer attorney representing children with special needs in foster care, and as a volunteer guardian ad litem for children with special needs in child protection matters. She also serves on the Board of Directors of River Valley Riders, a therapeutic horseback riding and carriage driving program, and Living Well Disability Services, which provides residential and customized services to adults with intellectual and developmental disabilities.

Representative Experience:

Estate Planning

- Wills
- Revocable trusts (living trusts)
- Irrevocable trusts
- Special needs trusts
- Supplemental needs trusts
- Powers of attorney
- Health care directives (living wills)
- Advance psychiatric directives
- Funeral directives
- Prenuptial agreements

Trust and Estate Litigation

- Contested wills
- Contested estate administration
- Contested trust administration
- Lack of capacity claims
- Undue influence claims
- Breach of fiduciary duty claims
- Abuse of discretion claims
- Financial exploitation of a vulnerable adult claims
- Determination of beneficiary status
- Validity of will and trust provisions
- Interpretation of will and trust provisions

Probate, Trust and Estate Administration

- Probate
- Trust administration
- Estate administration

Guardianship and Conservatorship

- Guardianship and conservatorship of minor children
- Guardianship and conservatorship of incapacitated adults
- Contested guardianships and conservatorships

Elder Law

- Capacity to make decisions
- Capacity to manage finances
- Capacity to sign legal documents
- Use of Powers of Attorney
- Use of Health Care Directives (Living Wills)
- Personal service agreements with caregivers
- Elder care planning
- Long-term care planning
- End-of-life care planning
- Guardianship and conservatorship

Long-Term Care Planning

- Medicaid/medical assistance planning
- Elder care planning

Special Needs Planning

- Care planning
- Medicaid/medical assistance planning
- Supplemental needs trusts
- Special needs trusts
- Guardianship and conservatorship