ArentFox Schiff LLP
Attorneys

David C. Blickenstaff

PARTNER AND COMPLEX LITIGATION PRACTICE CO-LEADER

Dave co-leads the firm's national Complex Litigation practice.



Industries

Family Office
Private Companies

Practices

Complex Litigation
— Class Actions
— Commercial
— Professional Liability
Private Clients, Trusts & Estates
— Trust & Estate Disputes

Education

Northwestern University Pritzker School of Law, JD, magna cum laude, Northwestern University Law Review-Coordinating Note and Comment Editor, 1994

Princeton University, AB, cum laude, 1990

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Dave helps beneficiaries vindicate their rights, advises individual fiduciaries in discharging their duties, and represents trust companies in their most significant and sensitive cases, including "rescue" situations in which he is called upon to assist or replace prior counsel.

Dave is a vigorous advocate. Calm and no-nonsense, he defuses difficult situations while making the strongest case for his clients. He has applied this approach successfully in scores of trust disputes, contested estates, and related matters.

In the *Chambers High Net Worth Guide*, a respected independent rating service, Dave is one of only five lawyers who received the highest "Band 1" ranking for Private Wealth Disputes in Illinois. According to *Chambers*, clients describe Dave as "wonderful to work with, incredibly responsive," "exquisite," and "very thoughtful, very knowledgeable about trust law and … just has a really well thought-out way of dealing with difficult clients, lowering the temperature and getting to the right resolution."

Recognized as a leader in his field, Dave is regularly invited to speak about topics relating to fiduciary litigation and managing fiduciary risk. He also serves as a mediator in complex trust and estate disputes.

Dave is a Fellow of the American College of Trust and Estate Counsel (ACTEC), whose members are elected by their peers based on their skill, integrity, and contributions to the profession. He is an active member of ACTEC's Fiduciary Litigation Committee and its Fiduciary Administration Task Force.

Client Work

Dave has represented clients in fiduciary litigation in state and federal courts across the country. In addition to extensive trial court experience, he has orally argued four trust/estate cases on appeal and prevailed in all four. Highlights of his work include:

— Dave led the successful defense for the trustees of a $150-plus million trust that supports a private school. The trustees faced a series of claims by a state attorney general, a contingent beneficiary,

and the parents of some school students, all of whom asserted that the trustees breached their fiduciary duties.

- Fellow counsel selected Dave to present oral argument on behalf of multiple parties (including another beneficiary and three corporate fiduciaries) in the successful appeal of a case of first impression concerning the Illinois Trusts and Trustees Act.
- Faced with trust documents that purported to disinherit them and frustrated with their case's lack of progress, two siblings retained Dave to replace their previous attorneys. Dave and his team filed a motion for summary judgment just three weeks after being engaged, then negotiated a complete settlement for our clients.
- Dave represented a corporate fiduciary and its individual co-trustee in the successful defense in the trial court and on appeal of claims for trustee removal, trust reformation, and breach of fiduciary duty concerning discretionary distributions.
- In a case establishing that a decedent's attempt to change the beneficiary of several IRAs was effective even though he died before signing the forms, Dave successfully represented an individual fiduciary at trial and on appeal.
- In a complex trust dispute involving two corporate fiduciaries, multiple family members and charities, and the state attorney general, Dave served as a co-mediator with a former state court judge, with Dave playing the role of "evaluative mediator" to help the participants assess the merits of the case and possible resolutions.

Previous Work

- Honorable James B. Moran, U.S. District Court, Northern District of Illinois (1994-1995)

Professional Activities

Dave has devoted thousands of hours to pro bono advocacy.

From 2007 to 2016, he led a team that represented an inmate on Georgia's Death Row. His work included an oral argument before the Eleventh Circuit; two petitions for certiorari to the U.S. Supreme Court; leading the six-lawyer trial team at the evidentiary hearing on our client's state habeas corpus petition; and presenting a clemency petition and arguing for our client's life before the Board of Pardons and Paroles.

Previously, Dave represented an Illinois Death Row inmate whose conviction and sentence had been obtained under Illinois' widely criticized capital punishment system. When Governor Ryan issued his clemency decisions affecting more than 160 Death Row inmates, our client was one of only four who received a pardon.

In January 2002, Dave successfully represented an athlete in a multi-day arbitration involving accusations that two other competitors threw an Olympic qualifying race so that our client could make the U.S. team.

Boards, Memberships & Certifications

- American College of Trust and Estate Counsel (ACTEC), Fellow; Member of Fiduciary Litigation and Fiduciary Administration Committees
- Chicago Estate Planning Council, Member

Publications, Presentations & Recognitions

Presentations

- "Loose Lips Sink Ships," (co-presenter) NYCPA 2026 Annual Estate Planning Conference, New York (May 21, 2026)
- "Walking the Line: Navigating Ethical Duties When Working with the Client's Team of Advisors," Notre Dame Tax & Estate Planning Institute, Conference (Nov. 5, 2025)
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"Don't Let Your Privilege Turn Into a Pumpkin," ArentFox Schiff Family Office University, Conference (Oct. 29, 2025)

- "The Hard-Knock Life of a Fiduciary—Causes and Cures," Bank of America Fiduciary Leadership Offsite, Keynote Presentation (Sept. 8, 2025)
- "Fighting Fiduciary Fires: Keeping the Flames at Bay," The Northern Trust Company, Presentation (August 13, 2025)
- "Fiduciary Litigation Roundtable," American Bankers Association, Webinar (May 1, 2025)
- "Fighting Fiduciary Fires: Causes and Cures for Trust and Estate Disputes," NYSSCPA 2024 Annual Private Wealth Conference, New York (Dec. 12, 2024)
- "Family Office Investments: What Information Should Beneficiaries Be Provided?" ArentFox Schiff Family Office University, Conference (Nov. 13, 2024)
- "ITC You in Court: The Illinois Trust Code in Judicial Proceedings," Illinois Bankers Association, Webinar (Sep. 11, 2024)
- "Having the Mettle to Settle: How to Steer Trust and Estate Controversies to Conclusion," American College of Trust and Estate Counsel's Summer Meeting 2024, Conference (Jun. 22, 2024)
- "Fiduciary Litigation Roundtable," American Bankers Association, Webinar (May 2, 2024)
- "Fighting Fiduciary Fires: Tales from the Trenches," American College of Trust and Estate Counsel's Heart of America Regional Meeting, Conference (Feb. 24, 2024)
- "Managing Fiduciary Risk in Representing Trustees and Executors," American College of Trust and Estate Counsel's Heart of America Fellows Institute, Conference (Feb. 23, 2024)
- "Fighting Fiduciary Fires: A Dispatch from the Front Lines," The Northern Trust Company, Presentation (May 10, 2023)
- "Fiduciary Litigation Roundtable (2023)," American Bankers Association, Webinar (May 4, 2023)
- "Using Silent Trusts," ALI-CLE, Planning Techniques for Large Estates 2023, Conference (Apr. 4, 2023)
- **"**Managing Meltdown: Keeping Volatile Families Out of Litigation," Chicago Estate Planning Council (CEPC), Conference (Dec. 15, 2022)
- "Fiduciary Litigation Roundtable (2022)," American Bankers Association, Webinar (May 12, 2022)
- "Trusts: Confidentiality and Attorney-Client Privilege," American Bankers Association, Webinar (Nov. 4, 2021)
- "Representing Trustees and Executors and Managing Fiduciary Risk," Heart of America Fellows Institute, Tulsa, OK (Oct. 21, 2021)
- "Forum on Private Wealth Litigation," Cambridge Forms, Carefree, AZ (Sep. 27-29, 2021)
- "Intersection of Alternative Investments & Estate Planning," IICLE 64th Annual Estate Planning Short Course, Webinar (May 25, 2021)
- "Fiduciary Litigation Roundtable (2021)," American Bankers Association, Webinar (May 6, 2021)
- "Silent Trusts," The American College of Trust and Estate Counsel (ACTEC), Podcast (May 2021)
- "Silent Trusts in a Very Loud World: God's Gift? Or the Devil's Work?" ACTEC National Meeting, Webinar (Mar. 2021)
- "Forum on Private Wealth Litigation," Cambridge Forms, Webinar (Feb. 2021)
- "Fiduciary Litigation Roundtable," (panelist) American Bankers Association (May 7, 2020)
- "Non-Judicial Trust Modifications," American Bankers Association Wealth Management and Trust Conference, Orlando, FL (Feb. 24, 2020)
- "Fire Cannot Kill a Dragon: Hot Topics in Privilege and Ethics Issues," (panelist) 54 th Annual Heckerling Institute on Estate Planning, Orlando, FL (Jan. 15, 2020)
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"Alternative Investments: An Investment Dream – A Planning Nightmare," (panelist) National Meeting, The American College of Trust and Estate Counsel (Oct. 19, 2019)

- "Attorney-Client Privilege in a Team Environment," (panelist) National Association of Estate Planners & Councils (Jul. 10, 2019)
- "That's Not What Mom or Dad Wanted: The Changing Role of Settlor Intent in Estate Planning," (panelist) 62nd Annual Estate Planning Short Course, IICLE (May 7 and 15, 2019)
- "Fiduciary Litigation Roundtable," (panelist) American Bankers Association (May 2, 2019)
- "How Safe Are Those Secrets? Privilege Pitfalls and Pointers for Fiduciaries and Beneficiaries," American Law Institute CLE, Representing Estate and Trust Beneficiaries and Fiduciaries 2018, Chicago, IL (Jul. 20, 2018)
- "Estate Planning As a Team Sport: Attorneys, Accountants and Other Advisors Working Together - Are Your Communications Privileged?" 61st Annual Estate Planning Short Course, IICLE, Chicago, IL (May 24, 2018)
- "Fiduciary Litigation Workshop," American Bankers Association (May 3, 2018)
- "Your Secrets Are Safe With Me (I Think) — Protecting Privilege When Planning for Large Estates," American Law Institute Continuing Legal Education, Austin, Texas (Apr. 27, 2018)
- "Estate Planners and Other Advisors Working Together: Are Your Communications Protected?" The American College of Trust and Estate Counsel (Apr. 24, 2018)
- "Diversity in the Field of Estate Planning," (panelist) Northwestern Pritzker School of Law, Chicago, IL (Mar. 15, 2018)
- "Fiduciary Litigation and Lessons for Managing Risk," National Trust Closely Held Business Association 42nd Annual Conference, Milwaukee, WI (Sep. 13, 2017)
- "Managing Fiduciary Risk," (co-presenter) Family Office Exchange (FOX) Atlanta, Ga. (Jun. 20, 2017)
- "Recent Fiduciary Cases and Lessons for Minimizing Risk," (co-presenter), BMO Harris Internal Training Program, Chicago, IL (May 18, 2017)
- "Fiduciary Litigation Roundtable," (panelist) American Bankers Association Telephone Briefing (May 4, 2017)
- "Fiduciary Litigation and Lessons for Managing Risk," (co-presenter), The PrivateBank [now CIBC] Internal Training Program, Chicago, Ill. (Apr. 19, 2017)
- "Fiduciary Litigation and Lessons for Managing Risk," ABA Wealth Management and Trust Conference, New Orleans, LA (Feb. 22, 2017)
- "Trust and Estate Administration with Family Business Interests: Advising Fiduciaries," (co-presenter) Chicago Estate Planning Council (Nov. 8, 2016)
- "Keeping Trust and Estate Disputes Out of Court: An Estate Planner's Guide to Mediation and Arbitration," (co-presenter) Illinois Institute for Continuing Legal Education Estate Planning Short Course (May 18 and 26, 2016)
- "Fiduciary Litigation Roundtable," (panelist) American Bankers Association Telephone Briefing (May 5, 2016)
- "Managing Fiduciary Risk," (presenter) National Trust Real Estate Association (May 3, 2016)
- "Managing Fiduciary Risk," (co-presenter) Family Office Exchange Trustees and Beneficiaries Workshop (Nov. 18, 2015)
- "Managing Fiduciary Risk," (co-presenter) Family Office Exchange Senior Management Council (Oct. 27, 2015)
- "Effective Client Communication as a Litigation Avoidance Tool," (co-presenter) BMO Harris Internal Training Program (Aug. 27, 2015)
- "A Litigator's Perspective on Fiduciary Risk," (co-presenter) BNY Mellon Family Office Client Advisory Council (May 7, 2015)
- "Fiduciary Litigation Roundtable," (panelist) American Bankers Association Telephone Briefing (May 7, 2015)

Recognitions

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"Lawyer of the Year" Litigation – Trusts and Estates, Chicago, *Best Lawyers* (2021, 2024 and 2026)

- Best Lawyers in America, *Best Lawyers* (2015-2027)
- *Chambers High Net Worth* – Private Wealth Disputes, Illinois (2022-2026)
- *Chambers High Net Worth* – Private Wealth Law, Illinois (2018-2021)
- Top 100, *Illinois Super Lawyers*, Thomson Reuters (2021-2022)
- *Illinois Super Lawyers*, Thomson Reuters (2011-2013, 2017-2022)
- Illinois Leading Lawyer, Law Bulletin's *Illinois Leading Lawyers Network* (2009-2021)
- Future Star, Euromoney's *Benchmark Litigation* (2017-2018)
- Rising Star, Euromoney's *Benchmark Litigation* (2009, 2012-2013)

Bar Admissions

Illinois

Court Admissions

US Supreme Court
US Court of Appeals, 3rd Circuit
US Court of Appeals, 6th Circuit
US Court of Appeals, 7th Circuit
US Court of Appeals, 11th Circuit
US Court of Appeals, Federal Circuit
US District Court, Central District of Illinois
US District Court, Northern District of Illinois (Trial Bar)
US District Court, Eastern District of Michigan