ELMAN FREIBERG PLLC

Hillary A. Frommer
Counsel

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Education

- Chicago Kent College of Law, Chicago, IL (J.D. with Honors, Law Review Notes and Comments Editor)
- Cornell University, College of Arts & Sciences (B.A., *cum laude* in Anthropology)

Bar Admissions

- Florida
- Illinois
- New York

Court Admissions

- US District Court, Southern District of New York
- US District Court, Eastern District of New York
- US District Court, Northern District of Illinois
- US Court of Appeals, Second Circuit
- United States Supreme Court

Hillary is a seasoned litigator who concentrates her practice on trusts and estate matters. She represents fiduciaries and non-fiduciaries in all matters before the New York Surrogate's Court, with an emphasis on contested probate, accounting, discovery, turnover, and fiduciary removal proceedings. She has also successfully litigated her clients' interests in the Federal District Courts and New York State Supreme Court, including guardianship proceedings under the Mental Hygiene Law. As an acknowledgment of her experience, Hillary is certified to serve on the New York State Court Part 36 Fiduciary list, and has been appointed by the New York Surrogate's Courts to serve as a court-appointed *Guardian ad Litem* to represent individuals who are unable to appear in court to protect their own rights. Hillary has served as the Chair of the Estates, Trusts and Surrogate's Court Practice Section of the New York County Lawyers Association Since 2018.

Additionally, Hillary has practiced in the areas of commercial litigation, and complex business and partnership disputes. She has conducted numerous continuing legal education courses for bar associations and is a faculty member of Lawline.com. Hillary is a frequent contributor to local bar association publications and has written on strategies for selecting and using expert witnesses. Elected as a Fellow of the New York Bar Foundation, Hillary has been recognized by members of the bench and bar for her outstanding professional achievement and dedication to the legal profession.

Prior to joining Elman Freiberg PLLC, Hillary was counsel at Farrell Fritz, P.C. For more than a decade, Hillary served as a member of the board of directors of ParentChild+, an international nonprofit organization dedicated to breaking the cycle of poverty for low-income families.

Selected Experience

- Represented the interests of 19 family members in the multi-million dollar contested probate proceeding of heiress Huguette Clark, one of the largest monetary trust and estate cases ever brought in New York.

Related Memberships

- New York County Lawyers Association, Chair of Estates, Trusts and Surrogate's Court Practice Section
- New York State Bar Association, Trusts and Estates Section
- Fellow of the New York Bar Foundation

Selected Experience continued

- Represented the interests of 19 family members in the multi-million dollar contested probate proceeding of heiress Huguette Clark, one of the largest monetary trust and estate cases ever brought in New York.
- Successfully represented an estate in an appeal before the Superior Court of Pennsylvania that unanimously affirmed a decision by the Orphan's Court of Allegheny County to adopt and apply the fiduciary exception to the attorney-client privilege, allowing the estate to obtain communications between the trustees and their counsel. This significant decision was wildly covered in the press.
- Successfully represented the beneficiaries of an *inter vivos* trust in invaliding an attempted decanting by a *de facto* trustee to deprive the beneficiaries of their interests.
- Representing the interest of a distributee in a contested guardianship proceeding under section 81 of the New York Mental Hygiene Law.
- Successfully represented the interests of the heirs of Robert Cohen, founder of Hudson News, in an appeal that prevented the Executor of the Estate of Claudia Cohen from accessing the books and records of the private multi-million dollar company.
- Successfully represented a minority shareholder in proceedings to recover corporate assets misappropriated by a majority shareholder and to dissolve the corporation.
- Represented a major museum in an estate litigation brought to reclaim certain works of art allegedly stolen during World War II.
- Negotiated a complex settlement on behalf of an executor to resolve multiple long-standing and highly- publicized actions in the New York Surrogate's and Supreme Courts.

Speaking Engagements & Presentations

- Presenter | On the Setlist: Anticipating Litigation Without Missing a Byte | New York State Bar Association 2026 Annual Meeting Trusts and Estates Law Section (January 2026)
- Presenter | Practical Considerations When Asked to Serve as a Fiduciary | Estate Planning Council - Estate Planners Day (May 2024)
- Presenter | Probate Proceedings in New York: Review of SCPA 1404 Discovery | Lawline (December 2022)
- Presenter | Best Practices for Supervising a Will Execution from a New York Litigator's Perspective | Lawline (August 2020)
- Author | *The Probate Exception - We're Not Just in State Court Anymore* | *Trusts & Estates* Magazine (May 2022)