

# Joshua Rubenstein Speaks at *Citywealth* Forum 2026 on Changing Dynamics of Wealth Disputes

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Katten Partner and Global Chair of the Private Wealth Practice, Joshua S. Rubenstein was recently featured in a speaker spotlight at the *Citywealth* Forum 2026. Joshua participated in the litigation and capacity panel, where he discussed the growing complexity of disputes driven by increased longevity, the legal realities of diminished capacity and the importance of communication and documentation within wealthy families.

Regarding the shifting landscape of wealth disputes, Joshua highlighted how longer life expectancies are fueling more conflicts during a wealth creator's lifetime rather than after death. "People are living longer than ever … and rich people are living much longer than ever," he said. "The deserving expectant beneficiaries are waiting longer than ever … and people are just not waiting anymore. They're fighting."

Joshua addressed the frequently misunderstood concept of legal capacity, explaining that it is not a single standard but varies depending on the act in question. "If you know the nature and extent of your assets and the natural objects of your bounty, you have testamentary capacity," he noted, while emphasizing that acting as a trustee or entering into complex trust arrangements requires significantly higher levels of understanding and judgment.

On the distinction between influence and undue influence, Joshua cautioned that ordinary persuasion within families is not unlawful. He went on to explain that the legal concern arises only when someone exploits diminished capacity or abuses a position of trust. "The test is not influence, it's undue influence," he said. "Undue influence is when you're taking advantage of someone when he can't protect himself."

Joshua also stressed the considerable risks of lifetime contests, including damaged family relationships, potential retaliation and a higher burden of proof. He emphasized the value of preparation and documentation over immediate confrontation. "Our advice to clients is usually just

keep incredibly careful notes and records," he said, adding that many inheritance disputes ultimately stem from a lack of transparency. "Most contests come because it's a surprise."

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