



James "Jim" C. Milton

Shareholder

Resident in Tulsa

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An experienced trial and appellate attorney, Jim Milton practices in the areas of commercial litigation, water law, and trust and estate litigation. He also serves on the firm's Board of Directors. Throughout his career he has focused on assisting clients with trust and estate litigation, including probate, will contests, guardianship and elder abuse. Within this practice, Jim regularly assists other attorneys in resolving complex probate, trust and guardianship disputes - whether as first or second chair litigator, strategy consultant, or resource for research and preparation of pleadings and legal arguments. Jim also provides compliance reviews in guardianship and probate matters, and assists in resolving complex real title issues in the fiduciary context.

Additionally, Jim has developed a water law practice that includes defending developers and municipal utility authorities against claims asserted by rural water districts, as well as drafting wholesale water contracts.

Jim has been recognized an Oklahoma Super Lawyer in Estate & Trust Litigation. He is also listed as a Best Lawyer in America in Commercial Litigation, Litigation-Municipal, Litigation-Trusts & Estates and Water Law, and has an individual AV peer review rating by Martindale Hubbell. Further, in 2009 he received a President's Award from the Tulsa County Bar Association's Continuing Legal Education Committee, and in 2011, he accepted the Oklahoma Bar Association Golden Gavel Award on behalf of the OBA Civil Procedure & Evidence Code Committee, which he has chaired since 2006. Finally, in 2006 Jim was named to The Journal Record's "Achievers Under 40" list and in 2009 to its "Leadership in Law" list, while in 2013 he was named to the Power Attorneys & Legal Professionals list by the Tulsa Business & Legal News.



Education

- Oklahoma State University (B.S.B.A. in Finance and Economics)
- University of Texas School of Law (J.D., *with honors*, 1995)

Admissions

- Oklahoma

Practices

- Alternative Dispute Resolution (ADR)
- Appellate
- Complex Commercial Issues
- Elder Law
- Electronic Discovery
- Estate Planning & Post Death Administration
- Guardianships
- Insurance Law & Tort Litigation
- Litigation
- Municipal & Public Authority
- Tax & Employee Benefits
- Trusts & Estates Litigation
- Water Law & Land Rights

Honors & Awards



Specialty Areas

- Water Law

Legal Experience

- 2012 - Present Hall Estill
- Doerner, Saunders, Daniel & Anderson, LLP

Professional Involvement

- Member, Oklahoma Association of Municipal Attorneys, Inc.
- Tulsa County Bar Association, Director at Large
- Oklahoma Bar Association, Chair, Civil Procedure & Evidence Code Committee; Co-Chair Legislative Committee and Social Chair, Tulsa for Estate Planning, Probate & Trusts Section
- Fellow, the American College of Trust & Estate Counsel; Member, Fiduciary Litigation, State Laws and Communications Committees

Teaching/Lecture Experience

- Served as program co-chair for the American College of Trust and Estate Counsel (ACTEC) "Heart of America Fellows Institute," April 2018 (Oklahoma City).
- Served as panelist, moderator, speaker or organizer for more than 50 continuing education seminars on issues including estate planning, trust administration, water rights and creditor rights.

Reported Cases

- *Zink v. Avery, McGill and Shackelford*, 2017 OK CIV APP 44

Community Involvement

- Participant, Tulsa Area United Way Emerging Leaders Philanthropy Forum: Criminal Justice Reform, Class of 2018

Published Articles

- Trust and Estate Attorney Jim Milton: Revisiting Pleading Standards?
- Jim Milton - Legal Perspective: Bar Association to consider trust decanting proposal
- Milton and Kelley - Right to Trial and Summary Judgment in Probate Proceedings
- **Jim Milton** Op Ed Piece Selected for publication in "*How Bad It Was How Good It Is - The Value of an Independent Oklahoma Judiciary.*"
- **Jim Milton** Authors Article for Oklahoma Bar Journal
- **Jim Milton** Co-Authors Article for Oklahoma Bar Journal
- **Jim Milton** Authors Article, "Paying Trustee Attorney Fees from the Trust Estate"

Gavel to Gavel

- Trust and Estate Attorney Jim Milton: Revisiting Pleading Standards?
- Gavel to Gavel: Pretermitted heirs by Jim Milton
- Investing Guardianship Assets
- Certainty in Receiverships
- Fiduciary Accountings
- Probate Claims
- Subtle Changes
- And That Is An Order
- What is a Trust Protector?
- Fiduciary Access to Digital Assets
- Civil Disobedience in the Statehouse?
- **James Milton** Gavel to Gavel on OK Supreme Court **10 Commandments Ruling**
- Tug of War
- Another Run at Dynasty Trusts
- Lodestars and Multipliers
- You've Got Mail
- Muddy Water
- Remote Control
- Keeping Common Sense Alive
- Discovering Efficiencies
- Greener Pastures
- Attorney Fees in Guardianships
- Discovery Matters
- Mixed Bag of Bills
- Sorting it Out
- Constitutional Differences
- Road to Reform
- Protecting the Elderly
- Matters of Trust
- A Battle for Water