

When Family, Assets, and Inheritance Laws Cross Borders

October 21, 2026

By Megan A. Moghtaderi and Jasmin Arya



When inheritance expectations travel farther than the documents designed to carry them.

Estate planning rarely fails because a family lacks a story. It fails because the documents do not account for how complicated that story has become. Families immigrate. Children live across states and countries. Real estate is held through entities. Family businesses grow. Cultural expectations endure, even when the governing law has changed. At death, those threads do not untangle themselves. They meet in probate court, trust litigation, or the uncomfortable space in between.

Cross-jurisdictional planning is no longer an exotic concern. A client may live in California, own property elsewhere, hold interests in a family company, have relatives abroad, and still assume one domestic trust will quietly solve every problem. Sometimes it will. Sometimes it will not. The difference is whether the plan was drafted with the family's full legal geography in mind.

The Maryland dispute in *Ahmad v. Ahmad*, No. 634, September Term 2020, 2021 WL 6133796 (Md. Ct. Spec. App. Dec. 27, 2021) (unreported), illustrates the risk. Mehdi Ahmad emigrated from Iran to the United States, built family businesses in Maryland, and later funded a revocable trust with his business interests. The trust "specifically excluded" his eldest child, M. Abraham Ahmad, from serving as trustee or beneficiary. After Mehdi's death, Abraham sued to have the trust declared invalid and the estate administered under the fixed inheritance provisions of the Iranian Civil Code. The Court of Special Appeals affirmed summary judgment against him.

The case is not just about Iran, Maryland, or one family. It is about the collision between private expectations and public legal systems. A parent's sense of fairness may be shaped by culture or family history. A child's sense of entitlement may be shaped by the same forces. But a U.S. court starts elsewhere: with the documents, statutes, governing law, deadlines, and public policy of the forum.

Abraham argued that Iranian law gave him an "indefeasible fixed portion" of Mehdi's estate that "automatically vested at his birth." The appellate court rejected the challenge on limitations grounds and made clear that foreign law has limits when it would impair the forum's strong public policy.

The court put it plainly: "To disregard Mehdi's choice as expressed in his will in favor of applying Iranian primogeniture law to Mehdi's estate would be contrary to Maryland public policy." That sentence carries the planning lesson. Foreign-law expectations may influence family dynamics, but they do not automatically override a valid U.S. estate plan.

If a client's life crosses borders, the plan should say so. It should identify the governing law, coordinate the disposition of

assets, address business ownership and control, and anticipate the legal or cultural framework a disappointed beneficiary may later invoke. Silence is rarely neutral. In estate planning, silence often becomes an invitation.

This matters most where families own businesses, investment real estate, or assets in multiple jurisdictions. A trust may say who receives an ownership interest. But entity documents, title, management rights, buy-sell provisions, tax rules, and local probate procedures may determine whether that transfer is smooth or explosive.

These problems are not limited to ultra-high-net-worth families. A blended family with property in two states, first-generation parents with relatives abroad, a business owner whose children disagree about succession, or an oral promise made around a kitchen table can all create the same problem. The question is not whether the family is international enough. The question is whether the plan reflects the jurisdictions, relationships, and expectations that actually exist.

Clear drafting is the first defense. Wills, trusts, beneficiary designations, powers of attorney, and entity documents should speak to one another. They should identify the intended governing law, define beneficiaries and exclusions with care, and avoid language that leaves room for competing inheritance theories to take root.

Communication matters, too. Not every family meeting prevents a lawsuit. But where expectations are likely to collide, a thoughtful letter of intent, a documented planning file, or a deliberate fiduciary choice may keep surprise from becoming litigation.

Deadlines also matter. Cross-border disputes may sound grand and philosophical, but probate and trust litigation often turns on something far less dramatic: whether a claim was filed on time.

A better approach is to build the plan around the actual family, not a simplified version of it. Where are the assets? Where do beneficiaries live? What law may apply? Who can realistically serve as fiduciary? How will business control pass? Do foreign documents exist? Are there inheritance expectations that may later be asserted? These are not side questions. They are the architecture of the plan.

The Ahmad dispute is a reminder that planning across borders should not be left to assumptions. A favorable ruling after litigation is not the same as a well-designed plan before conflict. The goal is not merely to win the fight. It is to avoid making the fight necessary.

When family, assets, and inheritance laws cross borders, an estate plan should do more than distribute property. It should translate intent across legal systems, narrow the gap between what the client meant and what a court may later be asked to decide, and make clear which law governs the legacy being left behind.

If your family, assets, or business interests cross state or national borders, an estates and trust attorney can help evaluate whether your estate plan is prepared for the jurisdictions, relationships, and expectations it may one day need to withstand.