



Thomas W. Repczynski

Principal

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Thomas Repczynski is a principal and shareholder focused on developing and expanding the firm's Estates and Trusts Litigation Practice area. Tom's clients are a broad array of individuals, non-profit boards and associations, business owner and both foreign and domestic corporations. Founded upon many years of landlord representation and decades of bankruptcy work, Tom's practice prioritizes general commercial business disputes, commercial real estate and creditors' rights enforcement litigation while emphasizing inheritance-related matters including trial court, probate and commissioner proceedings, and appeals (throughout Virginia, Maryland and D.C.) involving will, trust, and insurance beneficiaries, estate personal representatives (executors and administrators), trustees, guardians, and attorneys-in-fact under powers of attorney. Tom's typical fiduciary cases involve undue influence, breach of fiduciary duty, incapacity and will dispute claims.

As a pragmatic, cost-conscious and resolution-oriented legal advisor and advocate, Tom's substantial litigation and dispute resolution experience spans state and federal courts (bankruptcy, district and appellate), as well as mediation, arbitration and administrative proceedings and reflects a broad range of general business contract and tort, inheritance-related and lending/bankruptcy issues. Tom also routinely advises, co-counsel's or consults with divorce, family law counsel and their clients regarding a full range of inheritance, life insurance and bankruptcy-related issues arising before, during and after divorce proceedings.

Tom is a past president of both the Fairfax Bar Association and Northern Virginia Bankruptcy Bar Association. Tom has chaired Architectural Review Boards for multiple communities (VA and NC) and served as committee chairman for Boy Scout Troop 688. Tom clerked for the Office of the Independent Counsel (Starr) and interned both at the Department of Justice and for the Honorable Christine Odell Cook Miller, U.S. Court of Federal Claims.

Education

- Dartmouth College (A.B.)
- George Mason University Law School (J.D.)

Services

- Commercial Litigation
- Real Estate Disputes and Litigation
- Elder Law and Advocacy
- Estates and Trusts

State Bar Admissions

- Virginia
- Maryland
- District of Columbia

Court Admissions

- Supreme Court of the United States
- United States Court of Appeals for the Fourth Circuit
- United States Bankruptcy Court for the District of Columbia
- United States District Court for the District of Columbia
- United States Bankruptcy Court for the District of Maryland
- United States District Court for the District of Maryland
- United States District Court for the Western District of Virginia
- United States District Court for the Eastern District of Virginia
- United States Bankruptcy Court for the Western District of Virginia
- United States Bankruptcy Court for the Eastern District of Virginia

Professional Affiliations

- Metropolitan School of the Arts, Past Chairman of the Board of Directors
- South Fairfax Chamber of Commerce, Immediate Past Chairman
- Fairfax Bar Association, Past President
- Northern Virginia Bankruptcy Bar Association, Past President
- South County High School, Stadium Announcer (Football)
- WSLL/Virginia Umpire's Assn., Umpire

Recognitions

- Named *The Best Lawyers in America*® for Litigation - Trusts and Estates and Commercial Litigation (2024-2026)
- Northern Virginia Top Lawyers, Estates and Trusts, 2023
- Leaders in the Law, Virginia Lawyers Weekly, 2021
- Virginia's Top Lawyers/Top Litigation Lawyers, Northern Virginia Magazine and Richmond Magazine, 2018-present
- Leadership Fairfax, LFI Class of 2010
- America's Most Honored Professionals, The American Registry, 2019-present
- Virginia Super Lawyers® list for Estate and Trust Litigation, as seen in *Virginia & West Virginia Super Lawyers* magazine (2014 - 2018, 2026).
- Martindale-Hubbell AV Preeminent® Rated Attorney
- SmartCEO® "Legal Elite", 2010

- Fairfax Bar Association's President's Award, Two-time recipient

Publications & News

April 24, 2026

Offit Kurman Attorneys Recognized in 2026 Virginia Super Lawyers® and Rising Stars Lists

August 21, 2025

98 Offit Kurman Attorneys Recognized in Best Lawyers in America and Ones to Watch Lists

February 19, 2025

Tom Repczynski to Speak at Virginia Academy of Elder Law Attorneys (VAELA) UnProgram Conference

February 5, 2025

Estate Planning Missteps Uncovered: Offit Kurman Attorney Thomas W. Repczynski to Speak at Senior Services Alliance

January 3, 2025

AAML Virginia Event to Feature Offit Kurman's Thomas Repczynski on Divorce Finances

October 31, 2024

Arlington Magazine Recognizes Thomas Powell and Tom Repczynski in 2024 Top Attorneys List

November 3, 2023

Thomas Repczynski to Speak at Health and Financial Conference on Estate Planning Pitfalls

December 23, 2021

Thomas Repczynski named to Virginia Lawyers Weekly "Leaders in the Law"

October 12, 2021

Offit Kurman Names Three New Practice Group Leaders

Blog Posts

June 30, 2026

Top Five Probate Litigation Trends: What Estate Planners and Trust Practitioners Need to Know

The United States is in the midst of a historic generational transition. The so-called "Great Wealth Transfer" is estimated to exceed \$84 trillion in assets passing from Baby Boomers and the Silent Generation to their heirs over the coming decades. This wealth transference is...

March 26, 2026

Will-Challenge Litigation: Forensic Expert Cross-Examination

Estate litigation rarely turns on a single moment, but an effective cross-examination of the other side's forensic document examiner may be one's best shot at that "Perry Mason moment." When a will's authenticity is in dispute, the expert's testimony...

December 30, 2025

Five Big Estate Planning Mistakes — and Why You Should Act Now

Each year, I revisit the most common estate planning missteps I see in my practice. These mistakes cost families time, money, and peace of mind. If you've been putting off your plan, consider this your annual nudge to take...

November 21, 2025

The Dreaded After-Discovered Will

The Estate Administration Curveball that can Change Everything The case of Zappos owner Tony Hsieh, the late billionaire who was initially believed to have died intestate, without a valid will, took an unexpected turn when an apparent original...

October 30, 2025

Spotlight on Intestacy: Liam Payne and the Importance of Planning Ahead

When One Direction's 31-year-old band member, Liam Payne, fell from an Argentinian hotel balcony to his tragic death in October 2024, he left his then 8-year-old son, Bear, fatherless. However, as the sole heir to his father's fortune,...

August 25, 2025

Trust Protectors – Should You Have One?

When creating a trust, determining who you want to serve as trustee(s) and benefit from the trust as beneficiaries are decisions that need to be made for every trust. The role of "trust protector" may not be as commonly...

July 24, 2025

When a Corporate Trustee May Be a Disadvantage for Your Trust

Last month I explored the potential advantages of naming a corporate trustee, acknowledging that the decision is ultimately a matter of personal preference. In this second part of a two-part, "point-counterpoint" consideration of corporate trustees serving as such...

June 27, 2025

Corporate Trustees: Smart Choice or Risky Move?

Whether you name a financial institution to manage your trust assets when you are no longer able to do so for yourself, is ultimately a matter of personal preference and choice. In the first part of a two-part "point-counterpoint"...

December 10, 2024

Why Is Estate Planning So Important?

'Tis the season! It's that time when we look back on everything we accomplished or failed to accomplish over the past year and, at least for some of us, resolve to do better. Lose weight, get in shape, declutter,...

October 7, 2024

Does Neurodiversity Matter?

Is your organization "neurodiverse?" Do you care? Should you? I recently caught a podcast promoting "neurodiversity" and "neurodivergence" - terms with which I was not previously familiar. If you, like me, are new to the concepts, I commend you...

August 30, 2024

Gut Punch...No Regrets

Sometimes a “win” feels like, well, . . . not a win. Sometimes a “win” comes at such a significant cost that the diminished value of the victory forces one to question whether it was a win at all....

July 11, 2024

A Divorce Checklist – Death and Bankruptcy Considerations

A substantial portion of estate and trust litigation and post-divorce enforcement litigation (“contempt proceedings”) is rooted in failures or shortcomings in negotiations or drafting during the divorce process itself. Here is a recommended “best practices” checklist of questions developed...

June 20, 2024

Top 5 Divorce-Related Financial Protection Failures

Inadequate Insurance Assurances Uncorrectable Real Estate Refinancing/Retitling
Shortcomings Unclaimed Retirement Benefits Unconsidered Bankruptcy Impacts
Unconsidered Collectability Limitations Death and Insolvency Considerations as Divorce-related “Best Practices” Divorce lawyers routinely fail to protect clients against an ex-spouse’s failure and/or outright refusal...

January 29, 2024

Five Biggest Mistakes of Estate Planning

#5 - Inequity The fifth biggest mistake of estate planning is presuming to treat everyone equally, equaled only by the error of presuming to treat your loved ones differently because you don’t think they need anything or, in the...

December 13, 2023

Possession – Is It Really Nine-Tenths of the Law?

What does the expression “possession is nine-tenths of the law” mean? “Possession is nine-tenths of the law” is simply a recognition of presumed ownership. As highlighted recently in an Alexandria federal case over the rightful heirs to four original...

November 23, 2023

When's A Property Settlement Agreement Not A Property Settlement Agreement? (Part Two)

Originally posted on 01/16/20, content updated on 11/23/23 In this second of a multi-part series (read part one here) , I consider a second alternative “use” for a marital property settlement agreement, or PSA. With the help of Shakespeare’s ...

November 20, 2023

When's A Property Settlement Agreement Not A Property Settlement Agreement? (Part One)

Originally posted on 11/20/19, content updated on 11/20/23 In this first of a multi-part series, (read part two here) I address some of the multiple potential “uses” to which one can put a property settlement agreement, or PSA, to...

November 17, 2023

Are You Properly Licensed to Sing “Happy Birthday”?

Originally posted on 02/20/20, content updated on 11/17/23 It can’t possibly be illegal to sing “Happy Birthday”... can it? We sing “Happy Birthday” about as often as we mow the lawn, fill up the car with gas, or go...

November 16, 2023

The “Omnibus Order” - “Mutually Beneficial ‘Kitchen-sinking’” | Part Two

Originally posted on 05/06/20, content updated on 11/16/23. Read Part One here » If I’ve learned anything over my many years of legal practice, it’s not to under-estimate how much can be achieved in a single Final Order. Having...

November 13, 2023

Discretionary Trust Distributions – When “Because I said so!” May Be Legally Sufficient

Not too long prior to Senator Diane Feinstein’s recent passing, her daughter, exercising a durable power of attorney (POA) for the ailing Senator, filed suit seeking to force payments by the trustee of what is described as a very...

November 9, 2023

Same Material Facts . . . Opposite Results?

The Western District of Virginia’s Hartford Life v. Herring case outcome doesn’t track with the Virginia Supreme Court’s Wood v. Martin decision . . . or does it? In a recent decision by the Roanoke Division of the United...

November 7, 2023

The “Omnibus Order” - “Mutually Beneficial ‘Kitchen-sinking’” | Part One

Originally posted on 04/23/20, content updated on 11/07/23 “MBKS” or Mutually beneficial “kitchen-sinking.” It’s a thing. . . . No, seriously, it is totally a thing! Well, it should be! I credit opposing counsel in a substantial life insurance...

November 7, 2023

Jury Duty (Part Three): From Voir Dire to Deliberations to . . .

Originally posted on 03/05/20, content updated on 11/07/23 “Ladies and Gentlemen of the jury, please stand and raise your right hand to be sworn. Do you solemnly swear to be fair and impartial to uphold the Constitution and laws...

November 2, 2023

Jury Duty | Voir Dire: “To tell the truth?” - Part Two

Originally posted on 02/13/20, content updated on 11/02/23 Courtroom assigned! One after another, Sheriff’s Deputies come to call out a list of potential jurors to report to various courtrooms. I sit, comparing myself to the Schoolhouse Rock “Bill,” sitting...

October 31, 2023

Jury Duty – A Litigator’s Dream? Part One

Originally posted on 01/30/20, content updated on 10/31/23 Juror 996642 reporting for duty! There I was, responding to my first ever “SUMMONS FOR JURY DUTY.” I’d heard several stories over the years from legal colleagues and friends summoned, voir...

October 19, 2023

Jury Duty for Lawyers: Are You In or Out?

Jury service is both a civic duty and a privilege. Yet, attorneys rarely serve on juries. To be clear, there is a difference between reporting for duty and actually serving on a jury. For those attorneys who might consider...

September 14, 2023

Handwritten Wills and the Couch Cushions that Hide Them

No doubt, the basic scenario plays out every day across America. An elder loved one passes, and an adult child or children are left to deal with an estate and no plan in place —

or at least no...

August 17, 2023

Missed a Deadline?

Have you ever received a lawsuit or claim with a time-sensitive deadline? While it may be possible to receive an extension from the court or the opposing party, one should not count on such leniency. In some instances, particularly...

August 14, 2023

What's New in Estate Planning? Notable Local Law Changes

D.C. Adopts the Uniform Electronic Wills Act: Electronic Wills in D.C. – it's the law! . . . but should it be? As of March 10, 2023, the "Uniform Electronic Wills Amendment Act of 2022" (Law 24-296) became effective in...

July 25, 2023

Creative Lawyering – Property Settlement Agreement as Written Assignment (a Supreme update)

A beneficiary's interest in a life insurance policy is only as protected as the written assignment securing the interest with the policy issuer. In the right circumstances, a Property Settlement Agreement (PSA) – or other similar agreement! – can...

May 22, 2023

"de facto" Wills and the Harmless Error Rule - Part 2

Virginia maintains a signature requirement even for "de facto" wills. With its added signature requirement, Virginia's version of the Harmless Error Rule differs materially from the proposed uniform version of the Rule. The first part of the Virginia statute,...

April 27, 2023

"de facto" Wills and the Harmless Error Rule – Part One

This is the first of a two-part article on "de facto" wills based in substantial part on a piece I previously published several years ago in the Virginia State Bar's Trusts and Estates Section Newsletter, Vol. 22 No. 13...

March 8, 2023

Beware Sellers . . . Caveat Emptor May Not Be All You Believe it to Be!

When it comes to buying residential real estate in Virginia, the doctrine of caveat emptor, or "buyer beware," may not be as onerous as you think. I've had numerous potential clients come to me with horror stories of...

February 15, 2023

Virginia's 2023 Wage Hike – New Year, New Minimum!

Virginia is one of nine jurisdictions en route to a \$15 minimum wage (or higher) by 2026. As it is, Virginia is one of nearly 30 states to affect an increase this year. The first of the year saw...

Featured Works

Publications:

- "Wife who abandoned marriage not entitled to husband's inheritance." Virginia Lawyers Weekly, Quoted, December 9, 2025

Speaking Engagements

- "Til Death Do We Part (Again)," VAELA, March 2026
- "Managing Compassion Fatigue in the Legal Profession," VBA Annual Meeting, January 23, 2026
- "Legal Peace: Finding Balance and Calm this Holiday Season," Virginia Bar Association, December 11, 2025
- "Probate Property vs. Non-Probate Assets," NBI, October 29, 2025
- "Law of Interstate Succession," NBI, October 29, 2025
- "Virginia Probate Process From Start to Finish", NBI, October 29 2025
- Fairfax Bar Association, "What's Trending in Fiduciary Litigation", February 2024
- University of Illinois - Chicago, Political Science Undergraduates, February 2024
- "Bankruptcy and Separation Agreements", Virginia Trial Lawyers Association Annual Convention, March 2018
- The Probate Nation®, (Segment #27) - "Is This a Will?", November 2016
- "Demystifying Bankruptcy for Estate Planners," Fairfax Bar Association (Wills, Trusts and Estates Section); Arlington Bar Association, Trusts and Estates Section; McLean Estates Planning Council
- "Demystifying Bankruptcy," presented to Virginia Society of Enrolled Agents (NOVA Chapter)

Videos

Meet Tom

A video conversation with Tom Repczynski, Chairman of the South Fairfax Chamber of Commerce and attorney with Offit Kurman in Virginia

Elevator Pitch

PSA Life Insurance Commitments

Tips for Recognizing Pitfalls, Closing Loopholes, and Protecting Against Bankruptcy Avoidance

Thomas Repczynski: Virginia Trial Lawyers Association's 59th Annual Convention

Make Connections Work for Your Business or Nonprofit

Knowing your "Why?" A joint presentation with Terry Head, CEO/Head Coach for Compass Coaching, & Consulting, as part of the South Fairfax Chamber of Commerce 2021 Virtual Business Summit.

"Is this a Will?" (Probate Nation(R), Segment 27)

[CLICK HERE TO VIEW THIS VIDEO](#)

Together with Fairfax attorney Joseph Stuart, Tom discusses "what is and is not a will, and the challenges you may face in the course of resolving this question. They review common will substitutes, requirements to make a will, forms of a will, how a will can be revoked, the process to admit a will to probate, time limitations to challenge wills offered or admitted to probate, typical claims against an estate, and other common problems and pitfalls."

(Recorded Sep. 2016. Broadcast Nov. 2016)