

Out Now: Checa Martínez, Instituciones de estate planning y Derecho internacional privado patrimonial (Marcial Pons 2026)

Miguel Checa Martínez (Kinship Law) has kindly shared the following summary of his latest publication on 'Instituciones de estate planning y Derecho internacional privado patrimonial' with us.

Instituciones de *estate planning* y Derecho internacional privado patrimonial

Miguel Checa Martínez

This monograph constitutes the first systematic treatment in Spain of international estate planning from the perspective of patrimonial private international law. Conceived for practitioners advising globally mobile families and cross-border wealth structures, the work offers a rigorous comparative analysis—particularly attentive to Anglo-American legal systems—of the legal instruments available to preserve, structure, and transfer family wealth efficiently across generations.

The study opens with an examination of the classical connecting factors that determine personal status in private international law—nationality, habitual residence, and domicile—and explores their practical implications in cross-border planning. It proceeds to address the preventive protection of vulnerable adults through enduring powers of attorney and related mechanisms, as well as the safeguarding of minors' patrimonial interests.

A substantial portion of the book is devoted to matrimonial property regimes and their distinction from the financial consequences of divorce. Through comparative analysis, with particular emphasis on English and U.S. law, the author examines the interaction between these categories and the preventive structuring tools available to spouses, including marital agreements and prenuptial arrangements, as key instruments of wealth preservation.

*At its core, the monograph provides an in-depth study of succession planning techniques. It distinguishes between lifetime planning devices—such as inter vivos gifts and trusts—and testamentary dispositions, including functional equivalents to wills (will-like devices). Special attention is given to the conflict-of-laws solutions offered by Regulation (EU) 650/2012 on international successions, particularly the role of the *professio iuris* and its potential to coordinate universal and territorially limited wills within a coherent cross-border strategy.*

The final chapter addresses estate administration, focusing on the anticipatory design of executorial structures within the will, the appointment and confirmation of executors under Anglo-American probate procedures, and their capacity to act in respect of assets located in Spain.

Overall, the work offers a comprehensive and technically sophisticated framework

for international estate planning, positioning patrimonial private international law as a central discipline for the structuring of global family wealth.

More information is available on the publisher's website.