

Jessica L. Kometz

SHAREHOLDER



jkometz@bassford.com

■ T | 612.376.1647

Practice Groups

Business & Commercial Litigation

Trust and Estate Litigation

Overview

Jessica is a trial attorney who focuses her practice on all matters relating to trusts, estates, guardianships, conservatorships, and the like. Jessica routinely works with beneficiaries, trustees, personal representatives, family members with elderly loved ones, and other fiduciaries in relation to the management, distribution, and protection of people's assets and personal affairs, oftentimes during situations of incapacity, of family conflict, or after death. Jessica has experience litigating disputes relating to how trusts and estates are administered, whether assets have been mismanaged, whether fiduciaries have breached their fiduciary duties, and whether wills, trusts, or even deeds should be challenged based on the lack of testamentary capacity or the presence of undue influence. Jessica also has experience advocating both for and against the appointment of guardians and conservators and litigating issues involving elder abuse, neglect, or financial exploitation.

Jessica also focuses her practice on commercial and real estate litigation. Jessica has significant experience in representing both commercial and residential landlords in eviction court and routinely advises landlords on day-to-day issues relating to various types of tenancies. Jessica assists landlords in recovering unpaid rent and damages for breach of contract. Jessica's experience is not limited, however, to the real estate industry. Jessica has experience representing individuals and companies in deceptive trade practices litigation, general business disputes, defamation actions, etc.

Jessica has been named an Up & Coming Attorney, an Attorney of the Year, and a Minnesota Rising Star. She graduated *magna cum laude* from Mitchell Hamline School of Law where she was a member of the *Mitchell Hamline Law Review*. During law school, Jessica argued her first case in front of the Minnesota Court of Appeals.

Education & Admissions

Education

- Mitchell Hamline School of Law, J.D., *magna cum laude*
 - CALI Award Recipient, Contracts
 - CALI Award Recipient, Legal Research and Writing
 - Dorsey & Whitney Scholarship Recipient
 - *Mitchell Hamline Law Review*, Associate, Vol. 42

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- St. Cloud State University, B.A., *magna cum laude*

Bar Admissions

- U.S. Court of Appeals, Eighth Circuit
- U.S. District Court, District of Minnesota
- Minnesota
- Wisconsin

Judicial Clerkships

- Fourth Judicial District, The Honorable Daniel C. Moreno, Judicial Extern, 2017
- Second Judicial District, The Honorable Laura Nelson, Judicial Extern, 2017

Experience

Representative Cases

Trust & Estate

- Part of a team who successfully litigated the question of where a decedent would be buried.
- Successfully represented a nominated personal representative in seeking appointment when the decedent had only signed the self-proved affidavit portion of a will.
- Successfully sought the appointment of a conservator to effectuate the sale of an out-of-state property for an incapacitated individual.
- Routinely assist medical facilities with the appointment of a guardian for patients that cannot be discharged due to capacity concerns.
- Obtained dismissal of a court action for a protective order that would impose visitation restrictions on an individual not otherwise subject to guardianship.

Commercial Litigation

- Obtained summary judgment on whistleblower and disability discrimination claims in favor of large public school district.
- Part of trial team that obtained a six-figure jury verdict on behalf of a landlord relating to unpaid rent and damage to the landlord's property.

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- Argued a motion for summary judgment in relation to a defamation claim, leading to the imposition of an increased burden of proof relating to the claim and dismissal of a majority of the plaintiff's claim for damage.
- Successfully argued a motion for attorneys' fees relating to a commercial landlord-tenant dispute.
- Successfully litigated the extension of an Order for Protection after a contested evidentiary hearing and with limited availability to witnesses.
- Obtained summary judgment on whistleblower and disability discrimination claims in favor of large public school district. Successfully defended the same matter at the Eighth Circuit Court of Appeals.

Publications

- *Notes & Trends – Probate and Trust Law*, monthly column author, Bench & Bar of Minnesota, 2023-present
- *Prepared In Anticipation – Taking Full Advantage of the Protections in Rule 26.02(d)*, co-author, Minnesota Defense, Winter 2017

The Work Week with Bassford Remele

- *Minnesota's Legislature Has Been Active. What's Going on At the Federal Level?*, author, August 14, 2023
- *Legislative and Administrative Update: Paid Family Leave Bill Inching Closer to The Governor's Desk*, author, May 15, 2023
- *5 Reasons You Should Hire an Outside Investigator*, author, March 20, 2023

Seminars

- *How to Avoid the Top 10 Litigation Traps for Estate Planners*, presenter, Minnesota Continuing Legal Education 2025 Probate and Trust Law Section Conference, June 16, 2025
- *Damages, Damages, Damages: Understanding the Possible Outcomes in Probate Litigation*, presenter, Minnesota Continuing Legal Education 2023 Probate and Trust Law Section Conference, June 12, 2023
- *10 Ways Outside Counsel Can Increase Their Value to In-House Counsel*, moderator, Minnesota Continuing Legal Education 2023 Upper Midwest Employment Law Institute, May 19, 2023
- *Trends in Trust and Estate Litigation: What You Need to Know As An Estate Planner*, co-presenter, Bassford Remele A Loss of Trust: What Trust and Estate Litigators Think Estate Planners Need to Know, January 24, 2023

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- *Mom Always Liked You Best: Tips from Experienced Trust Litigators for Estate Planners and Trustees*, co-presenter with A.I. Silver, N.M. Abramson, and C.D. Marshall, private company, February 11, 2020
- *Employment Law: Solutions for Top Complexities*, presenter, National Business Institute National Webcast CLE, March 20, 2019
- *Not Your Typical Dog and Pony Show: Service and Assistance Animals in Residential and Commercial Settings*, presenter, Minnesota State Bar Association Animal Law Section, March 12, 2018

Professional & Civic

Bar Associations

- Minnesota State Bar Association
 - Probate and Trust Law Section
- State Bar of Wisconsin
- Hennepin County Bar Association

Professional Associations

- Minnesota Women Lawyers

Civic Involvement

- The Advocates for Human Rights, 2019-present
- Volunteer Lawyers Network, 2018-2020
- Tubman, 2018-present

Accolades

Honors & Awards

- Best Lawyers: Ones to Watch, Commercial Litigation and Trust and Estates Litigation, 2025-2026; Real Estate Litigation, 2026
- Up & Coming Attorney, *Minnesota Lawyer*, 2021
- Attorney of the Year, *Minnesota Lawyer*, 2019
- Minnesota Rising Stars list, *Super Lawyers*, 2023-present