

Sherlynn Chan

Partner | Family & Private Wealth | Hong Kong

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Sherlynn is a seasoned family lawyer and a leading lawyer in mental capacity law in Hong Kong. She handles complex and sensitive matrimonial cases including divorce, separation, cohabitation, financial claims as well as children matters (access, custody, relocation, and international child abduction) and injunctive relief for preservation of assets.

Her family practice includes trust and probate disputes including dependents' applications for financial provisions under Cap 481 as well as advisory work in relation to trusts, succession planning and wealth protection.

Sherlynn is also a leading lawyer in acting for vulnerable clients and has been appointed by the High Court on multiple occasions as Committee for a Mentally Incapacitated Person, to manage their property and affairs; advises Committees and represents applicants in contested and non-contested applications under Part II of the Mental Health Ordinance, Cap 136.

Sherlynn's experience includes:

- Advising on matrimonial matters including financial claims under the Matrimonial Proceedings and Property Ordinance (Cap 192)
- Advising on children matters, including access, custody, relocation and child abduction cases under Hague Convention (Cap 512)
- Advising on claims under the Guardianship of Minors Ordinance (Cap 13)
- Advising on pre-nuptial and post-nuptial agreements
- Resolving complex family, probate and trust disputes
- Advising on financial claims by family members and dependents of deceased estates under the Inheritance (Provision for Family and Dependents) Ordinance (Cap 481)
- Acting for litigants under disability in high value litigation

Highlights

Family Cases

- Acted for a spouse in a high net-worth post nuptial agreement involving assets worth over HK\$2 billion including property settlement and setting up of trusts for the children
- Acted for the Hong Kong husband in a cross-border matrimonial financial dispute, where the wife has substantial assets in Mainland China and was allegedly not the beneficial owner of the multi-billion RMB assets which consist of properties and companies
- Acted for a Mainland Chinese mother in a maintenance claim under the Guardianship of Minors Ordinance against a Hong Kong father in respect of a child born out of wedlock in Hong Kong. The case involved challenges to paternity and DNA testing
- Represented the Japanese spouse to a British citizen living in Hong Kong in a highly contentious custody access and relocation application. This case involved assistance from both local and international social investigation officers and liaising with UK and Japanese lawyers
- Acted for a Hong Kong spouse married to a Japanese citizen with one child in the family. Advising the spouse on the safe return of the child to Japan under the Hague Convention which involved liaising with the Central Authority of Hong Kong and the divorce lawyer in Japan in relation to the corresponding divorce proceeding there and securing a mirror order to ensure a smooth transition for the return of the child to Japan under the Hague proceedings



Principal Areas

- Family Law
- Litigation and Dispute Resolution
 - Mental Capacity Law and Vulnerable Client Practice
- Private Clients

Sectors

- Private Wealth

Languages

- English
- Cantonese
- Mandarin

Jurisdictions

- Hong Kong

- Acted for a Venezuela and Hong Kong couple in relation to child custody and access applications as well as issues involving jurisdiction and relocation matters

More about Sherlynn Chan

Accolades

- Recognised as a leading lawyer for Family/Matrimonial (International Firms) by Chambers Greater China Region (2024)
- Recommended as a key lawyer in the area of Private Client and Family (Hong Kong) in Legal 500 Asia Pacific (2023 – 2024)
- Individual Awards – Gold Award winner in the Law Society of Hong Kong Pro Bono and Community Work Recognition Programme (2020; 2023)
- Sherlynn’s team won “Family and Matrimonial Firm of the Year” at Benchmark Litigation Asia-Pacific Awards 2023
- Sherlynn’s team was recognised as the Vulnerable Client Advisory Practice of the Year in the 15th Annual Step Private Client Awards (2020/21)

Appointments/Memberships

- Chairman of the Mental Health Law Committee, The Law Society of Hong Kong
- Member of Guardianship Board (2023-2026)
- Member of Legal Aid Committee, The Law Society of Hong Kong
- Full STEP member of the Society of Trust and Estate Practitioners (STEP) since February 2020
- Co-chairman of the Mental Health, Elder and Capacity Law Sub-committee, STEP HK
- Member of STEP’s Mental Capacity, Philanthropy, Contentious Trusts & Estate Special Interest Groups
- Fellow of IAFL (the International Academy of Family Lawyers)
- Deputy District Judge in the Hong Kong Family court (2014)
- Chair and Founding Member, MIP Care Resources Connect (MIPCRC) (a charitable organization incorporated in Hong Kong)
- Board of Director, The Hong Kong Children’s Choir

Education

- LLB, University of Hong Kong
- PCLL, University of Hong Kong

Publications

Sherlynn has authored (and co-authored) a number of significant publications and given numerous presentations about Mental Health Law in Hong Kong, including:

Publications

- Author, “FamilyFocus@Deacons Series on Mainland/HK Cross-Boundary Marriages” (2022-2023)
- Author, “*A Practical Guide to Mental Health Law in Hong Kong*”, Hong Kong University Press (2019)
- Co-author, “Compulsory Mental Health Treatment and the Way Forward”, Hong Kong Lawyer (April 2020)
- Co-author, “Managing the Property and Affairs of Persons with Mental Incapacity”, Hong Kong Lawyer (February 2020)

Speaking Engagements

- Guest speaker for the Zonta Club and the Hong Kong Family Welfare Society on Family Law
- Guest speaker – On the topic of special needs trusts

Hong Kong Trustees’ Association Webinar (May – June 2023)

- Guest speaker – “Who really owns your family assets? Third party interests in Family Proceedings”
- Guest speaker – “Highlight on Mental Capacity Law in Hong Kong”

MIP Care Resources Connect Symposium (March 2023)

- Guest speaker – “Where to Store the 3 Instruments of Peace? Proposed establishment of a Central Depository”

Kowloon East Cluster & Hospital Authority – KEC Clinical Ethics Forum (February 2023)

- Guest speaker – “Enduring Power of Attorney, Advance Care Planning & Advance Directives”

InvestHK Investment Promotion Week – Financial Services, Business Professional Services and Fintech Day held at HKCEC (October 2022)

- Guest speaker – “Importance of Communication in Succession Planning”

The Law Society of Hong Kong Webinar (October 2022)

- Guest speaker – “RME Elective – Risks in Preparing Enduring Power of Attorney and Mental Capacity Issues”

STEP Global Congress 2022 held at the Hilton London Metropole in London, UK (July 2022)

- Guest speaker – “Supported decision-making: here to stay?”

InvestHK & Deacons Webinar (June 2022)

- Speaker – “How families deal with new trend in Crypto Assets”

Special Needs Trust Office (SNTTO) of the Social Welfare Department (January 2021)

- Panel speaker – “Living Will, Living Well? Advance Directives Across Asia” international conference Centre for Medical Ethics and Law (University of Hong Kong) in association with the Ethox Centre (University of Oxford) in Hong Kong (September 2020)
- Panel speaker – “Practical Considerations on Managing Wealth and Assets of Vulnerable Clients” webinar

Private Wealth Management Association (September 2020)

- Panel speaker – “Li 1 And Qin (李一安和秦) Judicial Recognition of Testamentary Trusts in China” webinar

Hong Kong Trustees’ Association (August 2020)

- Guest speaker for the Zonta Club of Victoria on mental health law and succession planning (July 2020)
- Guest lecturer – On the topic of mental health law

The University of Hong Kong (March 2020)

- Speaker – On the topic of mental health law

Civil Law Talk organised by the Department of Justice of HKSAR (January 2020)

- Speaker – On the topic of mental health law, succession planning, and probate and estate administration

The Brain Health Initiative (October 2019)

- Speaker – On the topic of mental health law, estate and succession planning

Polytechnic University in association with Institute of Active Ageing (June 2019)

- Presenter – On the topic of mental health law and the management of property and affairs of mentally incapacitated persons

LexOmnibus CPD course (June 2019)

Recent Activities

Pro-Bono Engagements

- Chairman and co-founder of MIP Care Resources Connect, a charitable organisation incorporated in Hong Kong
- Executive Committee and Board Member of Hong Kong Children’s Choir