

Catherine Swafford

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Catherine is a partner in the trust, estate and inheritance disputes team.

She practices exclusively in trust, estate, conservatorship, elder abuse and fiduciary litigation. Her practice includes representing clients in will and trust contests, elder abuse actions, breach of fiduciary duty and accounting cases, conservatorships, intestacy and heirship disputes, contract to make a will disputes, creditor claim disputes and related litigation and administration matters brought under the California Probate Code. Catherine has extensive experience litigating cases from the initial stage of filing a petition through discovery, including depositions, and finally through mediations, trial, and post-judgment.

Catherine represents beneficiaries, heirs, fiduciaries, charities, creditors and related clients in Probate and Civil Court. While based in San Diego, Catherine's practice is state wide throughout California. She has appeared in many Probate and Civil Courts throughout the state. Catherine has also developed special expertise in probate disputes involving issues of foreign law and international beneficiaries. She has experience representing clients in cross-border probate matters involving other jurisdictions such as Mexico, Switzerland, Russia, China, Hong Kong, British Virgin Islands and Hungary. She also regularly advises clients who have beneficial interests in California but reside in foreign jurisdictions.

Catherine is actively involved in the legal community. She serves on the Board of Directors of the Probate Attorneys of San Diego (PASD), where she is the Chair of the Education Committee. She serves on the Board of Directors of the Estate Planning Council of San Diego, where she is Programs Chair and Vice President. She also serves as court-appointed counsel for the San Diego Probate Court. Catherine is a frequent speaker in the community on a wide range of topics. She also is a contributing author of numerous publications, including CEB Practitioner™ attorney-drafted templates, the Litigation Alert in the California Trusts & Estates Quarterly, the California Decedent Estate Practice Guide, the California Civil Practice - Probate & Trust Proceedings Practice Guide and the California Code of Probate Forms book. Catherine has been recognized in the Chambers High Net Worth Guide in the area of Private Wealth Disputes – California since 2021 and as a "One to Watch" by Best Lawyers for 2024..

While devoted to her law practice, Catherine is the proud mother of 4 young children. She takes great pride in being able to contribute to the community both as an attorney and as a mother.

Talks

- '*Probate accountings - Requirements and the use of forensic accountants in Probate Court*,' San Diego Professional Fiduciary Association of California (PFAC) Chapter Presentation - February 14, 2024, presenter
- '*Recent developments applicable to court-appointed matters*,' Probate Attorneys of San Diego (PASD) Annual Symposium - December 1, 2023, presenter
- '*E1 Case and Statutory Updates in Estate, Trust And Probate Law*,' Professional Fiduciary Association of California (PFAC) - June 3, 2023, co-presenter
- '*Estate planning, trust, and probate law: 2022 year in review*,' Long Beach Bar Association - March 22, 2023, co-presenter
- '*Estate planning, trust, and probate law: 2022 year in review*,' Probate Attorneys of San Diego (PASD) - March 15, 2023, co-presenter
- '*Recent Developments in Conservatorship and Guardianship Law*,' Probate Attorneys of San Diego (PASD) - December 2, 2022, co-presenter
- '*Recent Updates on Cases, Statutes and Fiduciary Regulations in Trust and Estate Law*,' Professional Fiduciary Association of California (PFAC) - May 6, 2022, co-presenter
- '*Recent Developments in Estate, Trust, and Probate Law*,' Probate Attorneys of San Diego (PASD) - March 16, 2022, co-presenter
- '*Current Developments, including the 'Free Britney' Bill AB 1194, Part 2*,' North County Estate Planning Council - San Diego - March 1, 2022
- '*Current Developments, including the 'Free Britney' Bill AB 1194, Part 1*' North County Estate Planning Council - San Diego - February 1, 2022
- '*Recent Developments in Conservatorship Law*,' Probate Attorneys of San Diego Annual Training Symposium - December 3, 2021, presenter
- '*Case and Statutory Updates in Estate, Trust and Probate Law and California Fiduciary Regulations*,' The 26th Annual PFAC Educational Conference - August 26, 2021, co-presenter
- '*Wine Not? California's Decanting Act*,' Estate Planning and Trust Council of Long Beach - June 3, 2021, co-presenter
- '*Stay Ahead of the Curve: Hot Topics in Trust and Estate Law*,' North County Estate Planning Council webinar - May 4, 2021, co-presenter
- '*Estate Planning, Trust & Probate Law: 2020 Year in Review*,' Trust & Estate Section of the San Diego Bar Association webinar - April 1, 2021, co-presenter
- '*Estate Planning, Trust & Probate Law: 2020 Year in Review*,' Estate Planning, Trust & Probate Law Section of the La Jolla Bar Association webinar - March 11, 2021, co-presenter
- '*Wine Not? California's New Decanting Act*,' San Luis Obispo County Bar Association webinar - February 24, 2021, co-presenter
- '*Powers of Appointment: Everything You Need to Know From the Planning and Litigation Perspectives*,' Orange County Bar Association, Trusts & Estates Section webinar - August 12, 2020, co-presenter
- '*Estate Planning, Trust & Probate Law: 2019 Year in Review*,' Estate Planning, Trust & Probate Law Section of the San Diego County Bar Association webinar - July 15, 2020, co-presenter
- '*Pitfalls in Estate Planning: War Stories, Tips, and Strategies From the Litigation Perspective*,' Withers PCT Training - January 30, 2020, speaker

- *'Current Developments,'* North County Estate Planning Council, San Diego, California - November 5, 2019, speaker
- *'Decanting in California,'* Orange County Estate Planning Council - September 24, 2019, co-presenter
- *'Recent Developments in Probate & Trust Law,'* Provisors, San Diego Estate and Succession Planning Affinity Group - August 27, 2019
- *'Decanting in California,'* North County Bar Association - August 14, 2019, speaker
- *'Current Developments,'* North County Estate Planning Council, San Diego, California - August 6, 2019, speaker
- *North County Estate Planning Council,* San Diego, California - May 7, 2019, speaker (Topic: Current Developments)
- *'California's New Trust Decanting Laws,'* Long Beach Bar Association Probate, Trust & Estate Planning Section - May 1, 2019, speaker
- *'New California Uniform Decanting Act,'* STEP San Diego - April 16, 2019, speaker
- *'Estate Planning, Trust & Probate Law: 2018 Year in Review,'* San Diego County Bar Association - March 14, 2019, speaker
- *'Estate Planning, Trust & Probate Law: 2018 Year in Review,'* County Counsel Association Conference - March 7, 2019, speaker
- *'Decanting in California,'* Probate Attorneys of San Diego - February 28, 2019, speaker
- *'The New California Legislation on Decanting,'* North County Estate Planning Council - February 5, 2019, speaker
- *'Wine Not? California's New Decanting Act,'* First American Trust - February 5, 2019, speaker
- *'Wine Not? California's New Decanting Act,'* First American Trust - January 31, 2019, speaker
- *'Decanting 101: The New California Trust Decanting Act,'* California Law Association, Webinar - January 30, 2019, speaker
- *North County Estate Planning Council,* San Diego, California - November 2018, speaker (Topic: Current Developments)
- *'Decanting 101: The New California Trust Decanting Act,'* California Lawyers Association, Trusts & Estates Section, 42nd Annual Fall Program, San Francisco, California - October 2018, speaker
- *North County Estate Planning Council,* San Diego, California - September 2018, speaker (Topic: Current Developments)
- *North County Estate Planning Council,* San Diego, California - July 2018, speaker (Topic: Current Developments)
- *'Estate Planning, Trust and Probate Law - 2017: A Year in Review,'* San Diego County Bar Association - March 2018, speaker
- *North County Estate Planning Council,* San Diego, California - December 2017, speaker (Topic: Current Developments)
- *North County Estate Planning Council,* San Diego, California - November 2017, speaker (Topic: Current Developments)
- *North County Estate Planning Council,* San Diego, California - August 2017, speaker (Topic: Current Developments)
- *'Traps for the Unwary: Issues to Consider in Cross-Border Fiduciary Litigation and Trust or Probate Administrations,'* San Francisco Estate Planning Council & Golden Gate University Law Morning Symposium, Topics in International Estate Planning - June 2017, speaker
- *'Amending Reporting Requirements to Reflect Social Changes,'* State Bar of California Taxation Section, Washington, D.C. Delegation - May 2017, speaker
- *'Estate Planning, Trust and Probate Law - 2016: A Year in Review,'* San Diego County Bar Association - February 2017, speaker
- *'Estate Planning, Trust and Probate Law - 2015: A Year in Review,'* San Diego County Bar Association - February 2016, speaker

- 'Estate Planning, Trust and Probate Law - 2014: A Year in Review,' San Diego County Bar Association - February 2015, speaker

External publications

'AB 1194: California's New Conservatorship Legislation,' Daily Journal - March 2, 2022, authored

'Tom Petty's Daughters File \$5 Million Civil Lawsuit Against His Widow,' Digital Music News - May 16, 2019, quoted

'A Brief Overview of the California Uniform Trust Decanting Act,' The Daily Journal, May 1, 2019, co-author

'MCLE Article: Wine Not? The New California Trust Decanting Act,' California Trusts and Estates Quarterly, Vol. 25 Issue 1 - 2019, co-author

'Litigation Alert,' California Trusts & Estates Quarterly, co-author (2011-present)

'Amending Nontaxable Crowdfunding Reporting Requirements,' Tax Notes - October 30, 2017, P.675, co-author

'New Case Alerts,' State Bar of California, Trusts & Estates Section, co-author (2016-2017)

'Actions By and Against Personal Representative,' California Decedent Estate Practice, Chapter 29, annual updates

California Civil Practice, Probate & Trust Proceedings, bi-annual updates

West's California Code Forms, Probate, annual updates

Admissions

State of California, 2005

Education

Pepperdine University School of Law, J.D., cum laude

UCLA, B.A. in History and Political Science, cum laude, Departmental Honors (History)

Languages

English

Memberships

Estate Planning Council of San Diego, Board of Directors, Programs Chair and Vice President

North County Estate Planning Council

San Diego County Bar Association, Trusts & Estates Section

California State Bar, Trusts & Estates Section

Probate Attorneys of San Diego (PASD), Board of Directors, Chair of Education

San Diego Probate Court Appointed Attorney

La Jolla Bar Association

UCLA Alumni Group of San Diego

UCLA Bruin Professionals

Lawyers Club of San Diego

La Jolla Community Foundation (2014-2015)

Key dates

Year joined: 2015

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