

# FIDUCIARY LITIGATION

**When you are dealing with complex fiduciary litigation, you need someone on your side with intense passion and unbeatable litigation skills.**

The attorneys of Crain Caton & James have significant experience in complex fiduciary litigation. They represent both individual and corporate fiduciaries in a variety of disputes involving trustees, personal representatives of estates, agents under powers of attorney and guardians. They also advise individuals and fiduciaries in disputes involving business entities, such as partnerships and corporations.

Our experienced fiduciary attorneys represent clients in state and federal court and in arbitration proceedings. They have been involved in interstate and international fiduciary litigation and have been admitted to practice law in selected matters in other states. They have also successfully brought and defended appeals through final hearing in the Texas Supreme Court and the United States Fifth Circuit. Furthermore, the attorneys of Crain Caton & James are able to combine the necessary litigation skills with expertise in related tax issues.

Our talented fiduciary attorneys have defended and sued trustees, executors, guardians, agents, partners, corporate officers and directors and other fiduciaries relating to their fiduciary duties and responsibilities. These include claims relating to breach of fiduciary duty, negligence, misappropriation, gross negligence, bad faith, removal of the fiduciary, tortious interference and claims for or involving accountings.

Crain Caton & James' fiduciary attorneys offer a full range of knowledge in all aspects of probate, estate and disputes and have tried and, when appropriate, settled numerous will contests. They have experience in defending and contesting estate plans drafted by individuals and attorneys; in addition, they have also pursued and defended claims relating to the interpretation of the terms of a testamentary document, invocation of interrom (or 'no contest') clauses, tax apportionment allocations and other matters relating to the interpretation and settlement of estates and trusts.

Furthermore, our Texas probate attorneys have been involved in numerous proceedings involved in trust modifications and have sought judicial modifications when changing times have warranted modifications to instruments and opposed such attempts when they do not.

Crain Caton & James will handle contested probate, estate planning and trust matters on an hourly or contingency fee basis as is desired by the client and as appropriate for the particular case.

Crain Caton & James' attorneys also have extensive expertise in resolving disputed matters prior to trial. They have successfully settled numerous cases through mediation and other alternative dispute methods, taking into account the various legal and tax implications of a settlement, and have substantial experience in drafting and reviewing settlement agreements and related documentation. Additionally, several of our attorneys are certified mediators and are appointed by courts or engaged by other attorneys to mediate these disputes.

The attorneys at Crain Caton & James continue to be appointed by both the District and Probate Courts to serve as guardians ad litem, attorneys ad litem and temporary personal representatives and guardians in matters involving fiduciary litigation and related disputes.