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John R. Fitzpatrick

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As a faithful champion of his clients' interests in contested estates, John Fitzpatrick is widely known for his candid and thoughtful counsel. John's practice focuses on assisting people and financial institutions in inheritance disputes, commercial/business litigation and civil appellate advocacy.

A Super Lawyers honoree, John has a strong track record for achieving results for his clients. He has developed a solid reputation in probate and trust litigation, as well as in commercial litigation, for the high quality of his legal services, his well-considered counsel, his candor, honesty, and respectful demeanor, and his dedication to his clients. He offers a frank analysis of a client's rights, obligations and prospects, as well as a clear understanding of the litigation process and an idea of the potential expense. He regularly encourages an economic analysis of all litigation decisions, including the most significant of those the engagement of counsel, as not all probate disputes justify the expense of hiring a lawyer.

In his estate, probate and trust litigation practice, John assists clients in resolving a vast array of controversies. Whether the issues relate to probate matters, trust- or fiduciary-related controversies, or contested guardianships and conservatorships, John is able to leverage his decades of trial experience, his broad base of legal knowledge, and the firm's numerous strengths to provide his clients an exceptionally high level of service trial skills.

Estate, probate and trust law often overlaps with other areas of the law. John has handled cases involving community property issues, commercial litigation and transactions, real estate, pre- and postnuptial agreements, business succession and corporate control disputes, partnership and LLC matters, debtor-creditor controversies, family-owned or closely held business issues, validity and authenticity of written instrument disputes, breach of contract matters, foreclosure proceedings, constructive trust claims, real property title, succession, encumbrance, and lease issues, capacity to contract issues, agency issues, co-owner disputes (joint tenancy, co-tenancy and partition), negligence, misrepresentation, fraud and theft claims, annuity and custodial account disputes. He is also experienced in addressing life insurance disputes, death benefit, death beneficiary and pay-on-death (POD) issues and controversies, and other non-probate transfer or "will substitute" matters.

PRACTICE AREAS

Trust and Probate Litigation
Contested Guardianships and Conservatorships
Probate and Trust Administration
Commercial Litigation
Real Estate Litigation

HONORS AND AWARDS

Super Lawyers, 2015-2017
Arizona's Finest Lawyers, Inducted 2011
Top Rated Lawyer in Trusts & Estates, 2013-2015, Martindale-Hubbell and American Lawyer Media
"Top Lawyers," *North Valley Magazine*, 2016

PROFESSIONAL MEMBERSHIPS

State Bar of Arizona: Secretary (2016-2017) and Executive Council Member (2014-present), Probate and Trust Section
National Association of Elder Law Attorneys
Maricopa County Bar Association
Phi Alpha Delta
Horace Rumpole American Inn of Court

PROFESSIONAL ACTIVITIES

Judge Pro Tem, Maricopa County Superior Court, 2004-2005

RECENT PRESENTATIONS

"Conflict Considerations in Estate Planning and Trust & Estate Administration and Litigation" (Chair/Faculty), State Bar of Arizona Annual Convention, June 2016

"The Extent of the Trustee's Attorney-Client Privilege," State Bar of Arizona, October 2014

"The Extent of the Trustee's Attorney-Client Privilege," Valley Estate Planners, September 2014

COURT ADMISSIONS

Arizona, 1987

U.S. District Court, District of Arizona, 1987

U.S. Court of Appeals, Ninth Circuit, 1987

EDUCATION

J.D., University of Notre Dame, 1987

B.S., *cum laude*, Arizona State University, 1984

BIRTHPLACE

Phoenix, Arizona