



Mirjam Vögeli

Counsel, lic. iur., Attorney-at-law, LL.M.

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Languages

German, English, French

Expertise

Mirjam specializes in all matters relating to private clients. She regularly advises and represents high net worth individuals (HNWIs), families, and family offices in national and cross-border matters relating to inheritance law, private wealth and estate planning (including marriage and inheritance contracts, wills, administration of executor mandates, transfer of assets to the next generation) as well as the execution of the division of estates.

Due to her many years of practice and expertise in the areas of M&A, corporate, commercial, and contract law, her practice includes advising on and implementing corporate and business succession, family and corporate governance, and the reorganization of private companies and family-owned businesses.

Mirjam is highly knowledgeable in Swiss foundation law and the law governing associations. She regularly advises and represents foundations and members of the board of foundations on all aspects of foundation law, in particular on issues related to the establishment and setting up of a foundation as well as to governance and best practices, reorganizations, liquidations, liability issues and regulatory requirements. She also chairs a Swiss charitable foundation.

Mirjam represents her clients in related proceedings before courts, supervisory and administrative authorities. In pre-litigation strategies, she also considers alternative dispute resolution options.

Her broad legal knowledge and extensive practical experience enable her to provide a diverse array of advice to HNWIs and families in all aspects of their private and business activities.

Private Clients

Corporate / M&A

Commercial

Dispute Resolution

Career

- 2023 Counsel, Niederer Kraft Frey
- 2016 Secondment, maxon motor ag, Sachseln OW
- 2016 Senior Associate, Niederer Kraft Frey
- 2014 Foreign Associate, Wong Partnership LLP, Singapore
- 2011 Associate, Niederer Kraft Frey
- 2008 Junior Associate, Niederer Kraft Frey
- 2007 Assistant to Prof. Dr. iur. Wolfgang Portmann, University of Zurich, in the fields of tort and employment law
- 2005 Assistant to Prof. Dr. iur. Hans Caspar von der Crone, University of Zurich, in the fields of general contract law

Education

- 2014 National University of Singapore School of Law, Singapore, LL.M. in Corporate and Financial Services Law (Faculty Graduate Scholarship)
- 2010 Admitted to the Bar (Rechtsanwältin)
- 2007 University of Zurich, Lic. iur. (magna cum laude), Master of Law equivalent
- 2004 University of Leuven, Law School, Belgium

Professional Memberships

- Association Internationale des Jeunes Avocats (AIJA); Vice-President of the AIJA International Private Clients and Family Law Commission (since 2023); Member of the Executive Committee
- Zurich Bar Association
- Swiss Bar Association

Experience

Recently, Mirjam Vögeli has acted as legal counsel and representative, among others, to

- the executor in the administration and settlement of a complex estate with assets and heirs in several jurisdictions
- an heir on the unbundling and division of the family business, tackling intricate company, property, and inheritance law issues, and, consequently, implementing and executing the unbundling and division of the family business
- various UHNWIs and HNWIIs regarding marital, marriage and inheritance contracts, wills, advance directive and living wills, in particular in the case of complex asset and family relationships
- a leading international media and technology group in its extensive and complex national and cross-border reorganisations concerning all its Swiss subsidiaries (e.g. intra-group mergers, liquidations, asset and share deals)

- a minority shareholder of a private Swiss stock company in her exit of the company (including the sale of her shares, her exit of the shareholder loans and shareholders' agreement)
- various privately held, or family-owned companies on corporate governance, corporate and commercial law matters
- the administrator of a large charitable foundation on the investigation of alleged improper conduct of the suspended foundation board members and on the subsequent reorganisation and implementation of its new governance structure.
- the board of foundation on the prosecution and enforcement of liability claims against former members of the board of foundations of a charitable foundation
- the board of foundation on the liquidation of an operational foundation
- plaintiff representative of a Swiss pension fund foundation in liquidation in connection with the enforcement of a substantial liability claim before the Federal Administrative Court and the Federal Supreme Court
- international bodies and organizations organized and governed under the laws of Swiss association law, preparing and establishing of their legal documents (articles of association, by-laws, etc.)

Publications & Speaking Engagements

Mirjam is a regular speaker at conferences and frequently publishes articles in her field of expertise. Amongst them were the following (selection):

- Daniel Abt/Mirjam Vögeli, *Die Erbunwürdigkeit – Ein schlummerndes Damoklesschwert?* (The ineligibility to inherit – a dormant sword of Damocles?), in: TREX Der Treuhandexperte 2/2024, p. 106 ff.;
- Mirjam Vögeli, speaking on Surrogacy and Travel Bans, American Bar Association International Law Section Webinar, March 19 2024;
- Mirjam Vögeli, speaking on *Die Erbunwürdigkeit* (Ineligibility to inherit), 20th Zurich Annual Conference on International Trust and Inheritance Law Practice, Europa Institute of the University of Zurich, 1 November 2023;
- Mirjam Vögeli, speaking on *Die zivilrechtliche Haftung von Stiftungsorganen* (The civil liability of foundation bodies), Europa Institute of the University of Zurich, 29 September 2022;
- Catherine Grun Meyer/Mirjam Vögeli, *Erbrechtsrevision – Soll ich ein bestehendes Testament oder einen bestehenden Erbvertrag anpassen?* (Inheritance law revision – Should I adapt an existing will or inheritance contract?), NKF Client Newsletter, 03 May 2022;
- Mirjam Vögeli, speaking on *Stiftungsvermögen und Nachhaltigkeit – rechtliche Rahmenbedingungen* (Foundation assets and sustainability – legal frame work), event for members of a foundation board, Bern, 28 October 2021;
- Peter R. Isler/Mirjam Vögeli, *Die Abwägung von Chancen und Risiken bei der Beurteilung von Geschäftsentscheiden* (Weighing up opportunities and risks when assessing business decisions), in: Gedenkschrift für Claire Huguenin, Dike Verlag 2020;
- Peter Isler/Mirjam Vögeli, *Die VegüV in Kollision mit ausländischem Arbeitsrecht* (The Minder-Ordinance in conflict with foreign labour law), in: Festschrift für Wolfgang Portmann, Schulthess 2020;
- Peter Isler/Mirjam Vögeli, *Rechtsfolgen einer mangelhaften Delegation von Geschäftsführungsaufgaben in einer Verantwortlichkeitsklage* (Legal consequences of an incorrect delegation of management duties in liability claims), in: Weber/Stoffel/ Chenaux/Sethe (Hrsg.), Aktuelle Herausforderungen des Gesellschafts- und Finanzmarktrechts, Festschrift für Hans Caspar von der Crone zum 60. Geburtstag, Zürich 2017, S. 221 ff.;

- Mirjam Vögeli, *Klage des Gesellschaftsgläubigers gegen Verwaltungsräte bei gleichzeitig unmittelbarem Schaden bei ihm und der Gesellschaft* (Action by the company creditor against directors in case of simultaneous direct damage to him and the company), Besprechung von BGer 4A_428/2014 vom 12. Januar 2015 (BGE 141 III 112), in: ius.focus 2015 Nr. 66;
- Mirjam Vögeli, *Auflösung einer Aktiengesellschaft aus wichtigen Gründen* (Winding up of a joint stock company for good cause), Besprechung von BGer 4A_164/2011 vom 10. November 2011, in: ius.focus 2012 Nr. 12.

Market Perception

"Mirjam Vögeli has become a very prominent figure in Zurich's private client sphere. She has vast capabilities in the fields of charities and succession planning. She is extremely efficient in handling complex multinational matters." (Legal500 2024)

"Mirjam Vögeli is a specialised private client lawyer that advises on inheritance, foundational, matrimonial and contract law. Mirjam is a highly professional and strives for excellence while still maintaining a pragmatic approach. As a result, her analysis and thoughts always include the socio-economic, ethical and financial aspects besides the law in casu." (Legal500 2024)

"Mirjam understands private clients and is able to navigate them through the uncertainties that the legal landscape has to offer." (Legal500 2024)

"I appreciate her experience but also pragmatism. She has a very customer-friendly attitude and is very responsive." (Legal500 2024)

