

# John C. Moran

## Shareholder

West Palm Beach  
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## Practice & Industry Areas

- Private Wealth Services
- Probate, Trust & Guardianship Litigation

## Education

- George Washington University, J.D., with honors, 2001
- Florida State University, B.S., magna cum laude, 1998

## Bar & Court Admissions

- Florida, 2001
- United States District Court
  - Southern District of Florida
  - Middle District of Florida
  - Northern District of Florida

## Overview

John Moran is a shareholder focused on probate, trust, guardianship and fiduciary litigation, as well as complex estate and trust administration. John's goal is to offer his clients practical solutions to even the most complex or acrimonious scenarios. A dedicated advocate who is steadfastly focused on getting his client the best possible result, John's objective is to provide an honest assessment of the strengths and weaknesses of his client's position so that the right strategy can be developed and leveraged going forward.

John is regularly involved in the evaluation, mediation and litigation of disputes involving trusts, estates and fiduciary relationships. His clients include wealthy individuals and families, corporate and individual trustees, banks, investment professionals, personal representatives, executors, administrators, guardians, beneficiaries and others involved in estate and trust related disputes. John has litigated and resolved disputes with millions of dollars at stake, and pertaining to will and trust contests, asset distribution, trust reformations, trust modifications, trust interpretations, guardianship matters, breach of fiduciary duty, actions to remove a trustee or other fiduciaries, fiduciary accounting issues,

and other complex and often sensitive claims regarding probate, trust and fiduciary relationships.

In the area of estate and trust administration, John's experience includes advising personal representatives and trustees about their legal obligations and counseling them to avoid litigation. He is committed to understanding each client's specific needs and strives to execute both a personalized and efficient approach to administrative complexity.

John is currently the Chair-Elect of The Real Property, Probate and Trust Law Section (RPPTL) of the Florida Bar. He is a Past Chair of the RPPTL's Probate Law and Procedure Committee, having served in that role for 5 years. He is also a Past Chair of the Florida Bar Probate Rules Committee. In addition, John is a Fellow of the American College of Trust and Estate Counsel (ACTEC), as well as a frequent lecturer on probate and trust law topics.

## Honors

- AV Preeminent Rated as independently determined by Martindale-Hubbell
- *The Best Lawyers in America*<sup>®</sup>
  - Trusts & Estates "Lawyer of the Year", West Palm Beach, 2022
  - Trusts & Estates Litigation, 2021-24
- *The Best Lawyers in America*<sup>®</sup> Business Edition: The Litigation Issue, 2021
- Florida *Super Lawyers*, 2009, 2011-23
- Florida *Trend*, "Legal Elite," 2016, 2021-22
  - "Up & Comer," 2011
- *Palm Beach Illustrated*, "Top Lawyers", Trusts & Estates, 2021-23
- *Jupiter Magazine*, "Top Lawyers," Trusts & Estates, 2021, 2023
- Phi Beta Kappa
- Phi Kappa Phi
- Omicron Delta Epsilon (International Economics Honorary)

## Publications & Presentations

### Presentations

- "Navigating Ethical Challenges When Representing Clients With Diminished Capacity," Estate Planning Council of Greater Miami, 11<sup>th</sup> Annual Symposium, 2023
- "[Understanding and Managing the Rights of Lifetime Creditors Following Death](#)," ACTEC: Trust and Estate Podcast, speaker, January 2023
- "Take a Dive Into the Sunshine State (Law) – The Essential Update on Florida Law," 57th Annual Heckerling Institute on Estate Planning, University of Miami School of Law, 2023
- "You Can Take Your Creditors With You: Understanding and Managing the Rights of Lifetime Creditors After Death," American College of Trust and Estate Counsel Fall

Meeting, 2022

- “Creditors’ Rights vs. Trustee Protections,” ACTEC – Trust and Estate Talk Podcast, speaker, 2021
- “2021 Florida Legislative Update,” 39th Annual Attorney/Trust Officer Liaison Conference, 2021
- “Resolving Trustee Deadlocks,” ACTEC – Trust and Estate Talk Podcast, speaker, 2020
- “Passing the Torch: A Guide to Fiduciary Succession in Estate and Trust Matters,” Florida Bar Probate Law Seminar, 2020
- “Hello Goodbye: Resignation, Removal, and Succession of Personal Representatives and Trustees,” 38th Annual Attorney/Trust Officer Liaison Conference, 2019
- “Florida Probate Practice and Procedure,” Florida Bar 2019 Wills, Trusts and Estates Certification Review and Advanced Practice Update, 2019
- “Changing or Unwinding Irrevocable Trusts: Modification, Decanting, Reformation, and More,” American College of Trust and Estate Counsel Annual Meeting, 2019
- “Estate and Trust Administration,” Florida Fellows Institute of the American College of Trust and Estate Counsel, seminar coordinator, 2019
- “Remote Notarization and Electronic Wills,” Florida Bar Real Property, Probate & Trust Law Section Seminar, 2018
- “The Nuts and Bolts of the Florida Probate Code,” Florida Bar 2018 Wills, Trust and Estates Certification Course & Advanced Practice Update, 2018
- “Probate Law 2017 Seminar,” Florida Bar Probate Law Seminar, seminar coordinator, 2017
- “What Would the RPPTLS Say? 10 Things Divorce Lawyers Should Know About Probate and Estate Planning,” American Academy of Matrimonial Lawyers, Florida Chapter, 2017
- “The Florida Electronic Wills Act: Thoughts on Making Sausage with Uncle Veto,” Florida Bar 37th Annual RPPTL Legislation and Case Law Update, 2017
- “Ethical Considerations for Trust and Estate Litigators,” Florida Bar Litigation and Trust Law Symposium, 2017
- “Sunshine on a Cloudy Day: History and Highlights of the Florida Probate Code,” Collier County Bar Association, Estate Planning Symposium, 2017
- “It’s a Matter of Life and Death: The Florida Probate Code,” Florida Fellows Institute of the American College of Trust and Estate Counsel, 2017
- “Probate Law 2016 Seminar,” Florida Bar Probate Law Seminar, seminar coordinator, 2016
- “Developments in the Florida Probate Code: Disposition of Florida Real Property and Elective Share Tweaks,” Florida Bar 36th Annual RPPTL Legislation and Case Law Update, 2016
- “Estate Planning: Anticipating Probate Litigation and Estate Dealing with Vulnerable Clients,” Palm Beach County Bar Association, Probate Boot Camp, 2016
- “Estate Administration and Probate,” Florida Bar 2016 Wills, Trusts and Estates Certification Review Course and Advanced Practice Update, 2016
- “Probate Law 2015,” Florida Bar Probate Law Seminar, Seminar Coordinator, 2015

- “The Probate Code,” Florida Fellows Institute of the American College of Trust and Estate Counsel, 2015
- “Pitfalls in the Sunshine State: Top 10 Estate Planning and Probate Tips for Out-of-State Practitioners,” Florida Bar Seminar, 2015
- “Got Civility?” Palm Beach County Bar Association Bench Bar Conference, 2015
- “Probate and Trust Administration: Hot Topics and Update,” Florida Bar Elder Law Annual Update and Hot Topics, 2015
- “Probate Law 2014,” Florida Bar Probate Law Seminar, Seminar Coordinator, 2014
- “Current Development in Florida Probate Law: Probate Rules and Case Law Update,” Palm Beach County Bar Association’s 31st Annual Estate and Probate Seminar, Part II, 2014
- “The Reliance Defense for Fiduciaries,” Florida Bar Litigation and Trust Law Symposium, 2014
- “Breaking the Glass: The Fiduciary Reliance Defense,” Collier County Bar Association Trust and Estates Section, 2014
- “Current Issues in Legal Ethics,” Community Foundation Professional Advisors Roundtable Network of Palm Beach County, 2014
- “Take this Job and Shove It: Navigating the Successful Transition of Fiduciaries,” Greater Miami Estate Planning Council, 2014
- “Probate, Homestead, and Elective Share: Recent Developments,” Florida Bar Elder Law Annual Update and Hot Topics, 2014
- “Probate Law: Essential Issues and Developments,” Florida Bar Probate Law Seminar, seminar coordinator, 2013
- “The Advice of Counsel Defense for Fiduciaries,” Palm Beach County Bar Association’s 31st Annual Estate and Probate Seminar, Part I, 2013
- “With A Little Help from My Friends: The Advice of Counsel Defense in Theory and Practice,” ACTEC Florida Fellows Meeting, 2013
- “The Changing of the Guard: Resignation, Removal, and Succession of Fiduciaries,” Florida Bar Trust and Litigation Symposium, 2013
- “Probate Law 2013,” Florida Bar Probate Law Seminar, seminar coordinator, 2013
- “Will the True Intent of the Grantor be Honored? Modification and Reformation of Trusts,” Florida Bar Litigation and Trust Law Symposium, 2012
- “Fulfilling the Duties of the Personal Representative,” Florida Bar Probate Law Seminar, 2012
- “Walking a Tightrope...Legal Ethics for Estate and Trust Counsel,” Florida Bar Trust and Estate Symposium, 2011
- “Let the Sunshine In: Recent Changes to Florida Homestead and Post-Death Challenges to Spousal Rights,” New York State Bar Association’s Trust and Estates Law Section Spring Meeting, 2011
- “Till Death Do Us Part: Challenging Marriage and Spousal Rights Procured by Fraud, Duress or Undue Influence,” Palm Beach County Bar Association’s 28th Annual Estate

and Probate Seminar, 2011

- “2010 Case Law and Legislative Update,” Florida Bankers Association Wealth Management Conference, 2010
- “Savages Beware: Post-Death Challenges to Spousal Rights Procured by Fraud, Duress, or Undue Influence,” Florida Bar 30th Annual RPPTL Legislative and Case Law Update, 2010
- “Post-Death Spousal Rights Litigation,” 29th Annual Attorney/Trust Officer Liaison Conference, 2010
- “Till Death Do Us Part: Post-Death Challenges to Marriages and Spousal Rights,” Collier County Bar Association Trust & Estates Section, 2009
- “Trusts in Florida: The Outer Limits,” Florida Bar Trust Law Seminar, seminar coordinator, 2009
- “Out of the Frying Pan and Into the Fire: Post-Death Challenges to Marriages and Spousal Rights,” Palm Beach County Bar Association’s 26th Annual Estate and Probate Seminar, 2009
- “Professional Development & Ethics for Paralegals,” Paralegal Association of Florida, Inc. Annual Meeting & Seminar, 2009
- “Don’t Get Stiffed by a Gift: Drafting, Enforcing and Challenging Charitable Pledges,” Florida Bar Trust and Estate Symposium, 2009
- “Designated Representatives Under the Florida Trust Code,” Panel Discussion, Martin County Estate Planning Council, 2009
- “A Primer on Directed Trusts,” Palm Beach County Bar Association’s 25th Annual Estate and Probate Seminar, 2008
- “The Nuts & Bolts of Probate, Trust and Guardianship Litigation,” National Business Institute, 2007
- “Avoiding Conflicts of Interest: Who is My Client?” Paralegal Association of Florida, Inc., Annual Meeting & Seminar, 2007
- “That Could Never Happen to Me: Ethics Issues Affecting Estate Planners & Probate Litigators,” Palm Beach County Bar Association, 2007
- “Ethical Challenges in Estate Administration,” National Business Institute, 2006-08
- “Common Issues to be Prepared for in Litigation and Probate,” National Business Institute, 2006
- “Ethical Challenges Regarding the Estates of Quarreling Families,” National Business Institute, 2006

## **Publications**

- “Intestate Succession,” Litigation Under Florida Probate Code, The Florida Bar, 6th – 12th Edition, Co-Author
- “Will Construction,” Litigation Under Florida Probate Code, The Florida Bar, 6th – 12th Edition, Co-Author

# Professional Associations & Memberships

- The Florida Bar's Real Property, Probate & Trust Law Section (RPPTL)
  - Chair-Elect, 2023-Present
  - Probate & Trust Law Division Director, 2021-23
  - RPPTL Legislation Committee, Co-Chair of, 2020-21
  - RPPTL Continuing Legal Education Coordination Committee, Co-Chair, 2018-20
  - Probate Law and Procedure Committee
    - Chair, 2013-18
    - Vice-chair, 2011-13
  - Trust Law Committee, Vice-chair, 2009-2011
  - Probate and Trust Litigation Committee
  - Guardianship, Power of Attorney, and Advance Directive Committee
- The Florida Bar Probate Rules Committee
  - Co-Chair, 2011-12
  - Committee Member, 2011-17
- Craig S. Barnard American Inn of Court LIV
  - Emeritus Member
  - President, 2011-12
  - Board Member, 2007-13
- Palm Beach County Bar Association
  - Probate & Guardianship Practice Committee
  - Estate & Probate Law CLE Committee, Vice Chair, 2007-09
- American Bar Association
  - Member of the Real Property, Trust and Estate Law Section
- Fellow of the American College of Trust and Estate Counsel (ACTEC)
  - ACTEC Fiduciary Litigation Committee