

Nicklaus J. Curley

Shareholder

West Palm Beach
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Practice & Industry Areas

- Private Wealth Services
- Probate, Trust & Guardianship Litigation
- Fiduciary Risk Management

Education

- Stetson University College of Law, J.D., cum laude, 2010
- Florida Atlantic University, B.A., 2006

Bar & Court Admissions

- Florida, 2010

Overview

Nicklaus Curley is a probate litigator who focuses his practice on complex Florida fiduciary, guardianship, will and trust litigation.

Professionally, Nick is accustomed to bringing and defending a wide variety of claims, which are intrinsic to high level fiduciary litigation. Nick's practice stretches from representing individual plaintiffs in family trust or probate matters, to defending and advising large professional fiduciaries, to advising professional and non-professional guardians. Nick strives to advise clients both before and after potential litigation matters in order to explore all non-litigation alternatives to dispute resolution. In addition, Nick is an active member with the Florida Bar's Real Property Probate and Trust Law section (RPPTL), helping to draft Florida legislation used daily by guardianship, probate, and trust practitioners. During his tenure with the Florida Bar RPPTL section, Nick has also given numerous presentations to fellow practitioners and professionals on the ins and outs of the probate and guardianship process.

On a more personal note, when Nick is not working for clients, he is at home in Wellington with his wife and daughter. Nick was raised in West Palm Beach and is happy to have a chance to grow his own family within the city he has always called home. And last, but most definitely not least, Nick is a passionate, season ticket holding Miami Heat fan who can be seen on most game nights cheering for his team.

Nick is a litigation attorney with the Private Wealth Services Probate group in Gunster's West Palm Beach office.

Honors

- *Palm Beach Illustrated*, "Top Lawyers," Trusts and Estates, 2020-23
- *Jupiter Magazine*, "Top Lawyers," Trusts and Estates, 2021 & 2023
- *Florida Super Lawyers*, "Rising Star," 2017-20
- Rising Star, Florida Bar RPPTL Section, 2016
- *Stetson Law Review*

Publications & Presentations

- "Virtual Representation Under the Florida Trust Code," speaker, 41st Annual Attorney/Trust Officer Liaison Conference, Florida Bar (RPPTL), August 2023
- "Guardians & DNRs," speaker, 43rd Annual RPPTL Section of the Florida Bar Legislative and Caselaw Update, 2023
- "Eldercaring Coordination", Florida Bar (RPPTL), July 2021
- "Guardian's Duties in terms of Medicaid Benefits Eligibility, Mental Health/Substance Abuse/Alcohol Abuse, End of Life", Clerks' Statewide Investigation Alliance, May 2021
- "End of Life: Avoid Surprises: An Examination of Important Planning Tips for Fiduciaries", Florida Professional Fiduciary Council, February 2021
- "An Understanding of the Florida Professional Fiduciary Council", Florida Professional Fiduciary Council, November 2020
- "When Guardians Go Wrong: What's an Attorney To Do?", Dade County Bar, November 2020
- "2020 Florida Guardianship Law Legislative Update", Florida Bar (RPPTL), September 2020
- "Elder Exploitation in Florida Panel", Florida Bar (RPPTL), September 2020
- "Elder Exploitation for Practitioners", Sarasota County Bar, September 2020
- "Interplay Between Guardian and Trustee", Florida Professional Fiduciary Council, July 2020
- "Practical Ethics – When Guardians Go Wrong: What's an Attorney to Do?", Stetson College of Law, June 2020

- “Fiduciaries, Guardians, & Trustees: A Look Back and Ahead”, Florida Professional Fiduciary Council, February 2020
- “Elder Exploitation in Florida: A lawyer’s guide to the laws meant to stop it,” The South Palm Beach County Probate Bar, November 2019
- “Guardianship Legislative Update 2019,” The Florida Bar, April 2019
- “Professional Guardianship Regulation Panel”, Florida Bar (RPPTL), April 2019
- “Schiavo Revisited; Changes in Advanced Directive Laws,” The Greater Boca Raton Estate Planning Council, August 2019
- “Lost Wills,” Webcast Probate Practice Series, Florida Bar RPPTL Section, October 16, 2018
- “Debriefing and future missions: What is in store for the guardianship practice in Florida,” Journey Through the Florida Guardianship Galaxy, Florida Bar, April 20, 2018
- “The Guardianship Guide: An Overview of Working with Your Guardian”, Florida Bar (RPPTL), April 2018
- “2018 Guardianship Legislative Debrief”, Florida Bar (RPPTL), April 2018
- “Clerks, Guns, & Injunctions”, Florida Bar (RPPTL), July 2018
- “Field Manual: Working with the Guardian. Best practices, required filings, restoration, termination, death of a ward, discharge of a guardian, how to get paid,” Journey Through the Florida Guardianship Galaxy, Florida Bar, April 20, 2018
- Palm Beach County Bench Bar Conference, guardianship panelist, March 2018
- “Incapacity and the Lucid Interval”, Probate TEAM, October 2017
- “Bob Dylan Was Right – The Times Are A-Changin’”, Florida Guardianship Law Update, October 2017
- “Interesting Episodes and case Law Update”, RPPTL Guardianship Seminar, April 2017
- “Who Controls What? The Tug-O-War Between Guardianships and Trusts”, Palm Beach County Guardianship Bootcamp, February 2017
- “Down the Rabbit Hole – A Guardianship Statutory Update,” Barry University, March 2016
- “What’s Hot in Florida – A Florida Law Update,” Palm Beach County Bar 32 Annual Estate and Probate Seminar, 2015
- “Filing an Estate in Probate Court,” National Business Institute, 2014
- “Getting the Ball Rolling”, Institute for Paralegal Education, 2014
- “What to Do When Best Laid Plans Go Awry? Modify Them!”, *Palm Beach Gardens Lifestyle Magazine*, September 2012
- “How to File an Estate in Probate Court,” Institute for Paralegal Education, 2011
- “Jury Trials in Probate Litigation Under Florida Probate Code”, *Florida Bar 11th Edition*
- “Guardian of the Property: Duties, Power, and Liabilities”, Florida Guardianship Practice, *Florida Bar 9th Edition*
- “Marital Transfers”, Basic Estate Planning in Florida, *Florida Bar 8th Edition*
- “Will Construction”, Litigation Under Florida Probate Code, *Florida Bar 11th Edition*
- “How to File an Estate in Probate Court”, Institute for Paralegal Education, 2011

Professional Associations & Memberships

- Florida Bar
 - Real Property, Probate and Trust Law Section
 - Guardianship and Advance Directives Committee, Chairman
 - Guardianship Code Rewrite Committee, Chairman
 - Probate Law and Procedure Committee
 - Trust Law Committee
 - Probate and Trust Litigation Committee
 - Florida Probate Rules Committee
- Palm Beach County Bar, Guardianship Committee
- American Bar Association, Real Property Trust and Estate Law Section
- American College of Trust and Estate Council, Fellow