

People



Elizabeth Hughes

Special Counsel, Tax
Trusts and Estates

Miami
T: +1 305 982 5545

liz.hughes@akerman.com
vCard

Elizabeth Hughes is a highly skilled attorney who focuses on fiduciary litigation, with a particular concentration on disputes that arise from Florida estates, trusts, and guardianships. Elizabeth's experience includes successfully litigating and resolving complex cases involving will and trust contests, fiduciary fee disputes, determination of heir disputes, disputes over appointment of fiduciaries, removal of fiduciaries, surcharge actions, elective share disputes, and breaches of fiduciary obligations. She regularly assists individuals and clients serving as fiduciaries in reforming and construing wills and trusts, determining rights in wills and trusts, modifying trusts, and terminating trusts.

With almost a decade of experience in guardianship and mental health litigation proceedings, Elizabeth also advises clients on disputes over incapacity and appointments as guardian. She has handled contested emergency temporary guardianship proceedings for clients and has experience with adversary elderly exploitation injunction matters in Florida. Elizabeth's degree in Health Science and Rehabilitative Services provides her with a deep understanding of guardianship administration and restoration proceedings. She is skilled in representing professional and non-professional guardians and has experience representing both petitioners and respondents in Florida Marchman Act proceedings. Elizabeth has also served as private counsel for alleged incapacitated persons, as well as wards.

In addition to representing clients in related matters, Elizabeth has served as court-appointed counsel, ad litem, estate curator, and guardian in numerous probate, trust, and guardianship cases in Florida. For more than ten years, Elizabeth has served on the Executive Council of the Real Property, Probate, and Trust Law Section of the Florida Bar and in this capacity has been involved in crafting Florida Law relating to estates, trusts, and guardianship proceedings and has been involved in the legislative process for the Section.

Elizabeth writes and speaks frequently on a variety of trusts and estates topics. Her thought leadership has been cited by an appellate

Areas of Experience

Trusts and Estates
Litigation
Probate and Fiduciary Litigation
Tax

Education

LL.M. in Taxation, Georgetown University Law Center, 2022, Dean's list, with distinction, *Georgetown Journal of International Law*, LL.M. Advisor
J.D., University of Miami School of Law, 2012
B.S., University of Florida, 2005, cum laude

Admissions

Bars

Florida

Related Content

Elizabeth Hughes to Speak on Guardianship Jurisdictional Matters
April 12, 2024

112 Akerman Lawyers Across the U.S. Named to 2023 *Super Lawyers* and Rising Stars Lists
September 28, 2023

Four Akerman Partners Honored with *Daily Business Review's* 2023 Florida Legal Awards
May 25, 2023

court in a case involving a major proposition of Florida trust law (*Roller v. Collins*, Case No. 5D22-1114, (Fla. 5th DCA, October 20, 2023).

Notable Work

Estate Litigation:

- Represented spouse in claiming an Elective Share entitlement and successful funding of full statutory contribution from elective estate.
- Represented Spouse in successful claims for Elective Share and actions for recovery of estate assets.
- Represented Personal Representative in Homestead Litigation resulting in recovery of assets for the estate.
- Represented Estate Beneficiary in will construction action resulting in effective settlement between parties to the Estate.
- Represented Petitioner in contested appointment of personal representative proceedings, client successfully appointed.
- Represented named 'Pay on Death' beneficiary recover asset from large financial institution against claim made by Decedent's Estate.

Trust Litigation:

- Represented Trustee in successful recovery of substantial trust assets into Irrevocable Trust.
- Represented Trust Beneficiary in obtaining information and accountings related to a Florida Trust administration.
- Represented Co-Trustee in removal of Co-Trustee in action for removal and breach of fiduciary duty.
- Represented Trust Beneficiary in successful judicial modification of trust proceeding.
- Represented Trust Beneficiary in action for breach of trust and removal of Trustee resulting in successful settlement in resolution of the matter which included separately funded trust for client.

Guardianship and Mental Health Litigation:

- Represented Alleged Incapacitate Person (AIP) in successful dismissal of incapacity proceedings.
- Represented Respondent in Marchman Act proceedings resulting in dismissal of proceedings.
- Represented proposed guardian in contested appointment of guardianship proceedings resulting in appointment of client.
- Represented the interests of a minor resulting in increased settlement proceeds allocated directly for the benefit of the minor as a result of an injury action.
- Represented Professional Guardian in several litigated and adversary guardianship proceedings resulting in successful outcomes for the ward's benefit.

Related Professional Experience

- Eleventh Judicial Circuit Court, Probate Division, Attorney Case Manager, 2013-2014

- Judicial Intern to the Honorable Stephen T. Brown, Chief Magistrate Judge, U.S. District Court, Southern District of Florida, 2012

Published Work and Lectures

- Florida Bar's 2024 Guardianship Seminar, Speaker, "The Ultimate Power Struggle: Jurisdictional Matters in Florida Guardianship," April 12, 2024
- Florida Bar's 2023 Real, Property, Probate and Trust Law Section Valentine's Day Trust Law Discussion, Florida International University Law School, Speaker, "Current Trends in Trust Litigation in Florida," February 14, 2024
- Dade Legal Aid, Put Something Back, You Be The Judge Probate & Guardianship Seminar, Speaker, "Typos in TOD Accounts," January 18, 2024
- American Bar Association Probate & Property Magazine, Volume 37, Number 3, Author, "How the US Tax Code Can Save Our Most Endangered Species Part II," May/June 2023
- Florida Bar's 2023 Real, Property, Probate and Trust Law Section Guardianship Seminar, Speaker, "Greatest Duos: Co-Guardians and Co-Agents in Florida," April 28, 2023
- American Bar Association Probate & Property Magazine, Volume 37, Number 2, Author, "How the US Tax Code Can Save Our Most Endangered Species Part I," March/April 2023
- Florida Bar, Real Property, Probate, and Trust Law Section, Annual Probate Litigation and Trust Law Symposium, Speaker and Material Author, Tampa, Florida, January 26, 2023
- Miami Dade Legal Aid—Put Something Back, Moderator, "You Be the Judge," January 19, 2023
- North Dade and The Beaches Real Estate Council, Speaker, "The Tax Policies Behind Why It Might Be Time For Stepped-up Basis To Step Aside," September 14, 2022
- Miami Law Con, Panelist, "Probate Pet Peeves," April 22, 2022
- Orange County Bar Association Seminar, Panelist, "2022 Florida Guardianship Caselaw Update," February 10, 2022
- Miami Dade Bar, Probate & Guardianship Committee, Moderator, "You Be the Judge: Probate & Guardianship Seminar," January 19, 2022
- Florida Bar's 2021 Annual Guardianship CLE, Speaker, "When Guardianships Get Tricky," December 2, 2021
- The Florida Bar Real Property, Probate, and Trust Law Section, *ActionLine*, Author, "Sayonara Stepped-Up Basis? The Tax Policies Behind Why it Might Be Time for Stepped-up Basis to Step Aside," Winter 2021
- Miami Dade Bar Bulletin, Author, "Announcing the Celeste H. Muir Excellence Award," December 2021
- The Florida Bar Real Property, Probate and Trust Law Section Probate Law Seminar, Speaker, "Annual Guardianship Case Law Update," October 2021
- Professional Fiduciary Council of Florida Conference, Speaker, "Ethical Hot Spots Panel for Fiduciaries," February 19, 2021
- Dade County Bar Association, Moderator, "You Be The Judge: Probate and Guardianship," January 29, 2021
- *Florida Bar Journal*, Vol 94, No 6, Author, "Terrain, Taxes, and Land Trusts: Saving the Florida Panther Through the Use of Conservation Easements," November/December 2020
- Coral Gables Estate Planning Council, Speaker, "The Power Struggle Between Guardians and Trustees," September 22, 2020

- Real Property, Probate and Trust Law Section of the Florida Bar 2020 Legislative Update, Speaker, “House Bill 505 and Standing to Pursue Causes of Action on Behalf of the Estate,” August 2020
- Dade County Bar Association’s (DCBA) Annual Bench and Bar Conference, Speaker, “The Future of Probate and Guardianship Administration and Litigation,” March 6, 2020
- 2020 Florida Bar Elder Law Section’s Annual Update, Speaker, “Battle of the Fiduciary Titans: Guardians vs. Trustees,” January 20, 2020
- The Florida Bar Real Property, Probate and Trust Law Section Probate Law Seminar, Speaker, “Florida New Electronic Wills Legislation,” November 15, 2019
- Attorney Trust Officer Liaison Conference 2019, Speaker, “Battle of the Titans: Guardians v. Trustees,” August 23, 2019
- *The Docket*, A Sarasota County Bar Association Publication, Co-Author, “The Realist Party in Interest: Trustees,” March 2019
- The Florida Bar Real Property, Probate and Trust Law Section, Trust and Litigation Seminar, Speaker, “Expert Witness Testimony In Trust and Estate Litigation,” March 29, 2019
- *ActionLine*, A Florida Bar Real Property and Trust Law Section Publication, Co-Author, “The Real Party in Interest: Trustees,” Vol. XXXX, No. 2, Winter 2018-2019
- *The Elder Law Advocate*, Author, “2018 Changes To Florida’s Gun Laws and Their Impact On Incapacitated Persons,” Summer 2018
- Sarasota County Bar Association Estate Planning and Probate/Elder Law Joint Section Meeting, Speaker, “Guns, Guardianship’s, and Gun Trusts,” March 28, 2018
- Dade County Bar Association, Probate and Guardianship Seminar, Speaker, “Estate’s Role as a Party to Litigation,” October, 12, 2017
- The Florida Bar’s Continuing Legal Education Committee and the Real Property, Probate and Trust Law Section’s Seminar, Speaker, “When to Un-pack the Heat: Guardianships and an Individual’s Privilege to Keep and Bear Arms,” April 28, 2017
- *Florida Bar Journal*, Volume 91, No. 3, Co-Author, “Putting Conventional Probate Concepts to the Test: Parker v. Parker and the Decedent’s Estate as an Indispensable Party,” March 2017
- *ActionLine*, Author, “Settlements Involving Minors,” Vol. XXXVIII, No. 2, Winter 2017
- Dade Legal Aid Put Something Back, Speaker, “Wills on Wheels,” August 2016
- Real Property, Probate and Trust Guardianship, Power of Attorney & Advance Directive Committee, Speaker, Case Law Update, November 2015
- *ActionLine*, Author, “Changes to Health Care Surrogate Law,” Vol. XXXVII, No. 1, Fall 2015
- Florida Bar News, Featured, “Put Something Back Spurs Pro Bono Work” February 15, 2021

Affiliations

- Miami Dade Bar, Board of Directors, 2022-Present
- ALM/Law.com, Florida Legal Awards, Judging Panel Member, 2024
- Humane Society of Greater Miami, Board of Directors
- The Florida Bar
 - Code & Rules of Evidence Committee, Member, 2018-Present
 - Grievance Committee 11 “C,” Member, August 2023-July 2026

- The Florida Bar, Real Property, Probate and Trust Law Section
 - Executive Council Member, 2017-Present
 - Strategic Planning Committee, Member
 - At Large Member, 2017-Present
 - Law School Mentoring and Programming Committee, Co-Vice Chair, 2017
 - Publications and ActionLine Committee, Co-Vice Chair, Present
 - Guardianship, Power of Attorney, and Advance Directives Committee, Supreme Court Work Group Co-Chair, Present
 - Minor Venue Subcommittee Chair, 2018
 - Probate Law & Procedure Committee, Member
 - Probate & Trust Litigation Committee, Member
 - Parker v. Parker subcommittee Co-Chair, 2016-2019
- American Bar Association, Probate & Fiduciary Litigation Committee Section of the Real Property, Trust and Estate, Member
- American College of Trust and Estate Counsel, Florida Fellows Institute, Class Member, 2016-2017
- Dade County Bar Association, Probate and Guardianship Committee, Member
 - Chair, 2021-2022
 - Co-Chair, 2020-2021
 - Vice-Chair, 2016-2020
 - Put Something Back Program, Probate Attorney
- Estate Planning Council of Greater Miami, Member; Board of Directors, 2016-2017
- Junior League of Miami, Member, Women Who Make a Difference Committee, 2014-2015; State Political Affairs Committee, 2012-2014

Honors and Distinctions

- Dade Legal Aid, Put Something Back, 2024, Pro Bono Service Award
- Miami-Dade Bar Association, 2023, Circle of Excellence Award
- *Super Lawyers* Magazine, 2020-2023, Listed in Florida as a “Rising Star” for Estate & Trust Litigation
- *Daily Business Review*, 2023, Professional Excellence Awards, “On the Rise”
- *The Legal 500*, 2022, Recommended for U.S. Taxes - Contentious
- The Florida Bar, 2021-2022, Real Property, Probate and Trust Law Section, Rising Star Award
- Miami Dade Bar Association, 2021-2022, “Above and Beyond” Award, For Work as Chair of the Probate and Guardianship Committee
- Florida Fellows Institute of the American College of Trust and Estate Counsel (ACTEC), Graduate, 2017
- Dade Legal Aid & Put Something Back, 2018, 2023, Pro Bono Service Award
- Dade Legal Aid Pro Bono Awards, 2017, Probate Award
- Dade County Bar Association, 2016, “Rising Star” Award