

People



## Richard C. Milstein

Partner, Tax  
Trusts and Estates

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Richard C. Milstein concentrates his practice on complex, not so complex, and high conflict trust, probate, estate, and guardianship litigation and administration. With Richard's over four decades of experience in these areas, he ably assists clients and members of families, whether related or not, with resolution of their issues in a caring and sensitive manner.

In addition to litigation and administration services, Richard provides life and estate planning advice to moderate and high net worth individuals and families concentrating his practice on innovative planning solutions for alternative families and same sex couples. One other area of special interest is his representation of the vulnerable in our community – children, the elderly, and those who are marginalized. Richard is Certified Mediator by the Florida Bar Board of Certification.

Richard is a past president of the Miami Dade Bar and a former chair of the Probate Committee and has served on the Board of the Miami Dade Bar for multiple years. Throughout his career he has been involved in numerous other organizations on a national, state, and local level, including the American Bar Association on the House of Delegates and more recently on the Commission on Law and Aging; the Florida Bar as the chair of the Council of Sections, on the Real Property and Probate Section (having served on many committees and leadership roles) and the Elder Law Section (past chair and legislative chair for many years). He is a fellow of the American College and Estate Counsel (ACTEC) and been a representative on three national think tanks dealing with the issues of guardianship and the development of legislation and protocols in various states. Richard is a frequent lecturer on the issues in which he practices and on ethics and professionalism and is sought after to speak in all geographic areas.

A renowned champion for equal justice and pro bono legal services, Richard is the 2019 recipient of The Florida Bar Foundation's Medal of Honor. Other honors include the Dade County Bar Association's Legacy Award, the Tobias Simon Pro Bono Services Award

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### Areas of Experience

Tax  
Trusts and Estates  
Probate and Fiduciary Litigation  
Litigation

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### Education

J.D., University of Miami School of Law, 1973  
A.B., University of Miami, 1968, cum laude  
A.A., Miami Dade College, 1966, with honors

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### Admissions

#### Bars

Florida

#### Courts

U.S. Supreme Court  
U.S. Court of Appeals, Fifth Circuit  
U.S. Court of Appeals, Eleventh Circuit  
U.S. District Court, Southern District of Florida

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### Related Content

Akerman Lawyers Ranked in Florida by *Super Lawyers Magazine*  
July 16, 2024

Richard C. Milstein Named a Philanthropy Power Leader  
April 18, 2024

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

presented by the Florida Supreme Court, as well as other national and state recognitions. In his honor, The Dade County Bar Association established an award designated the “Richard C. Milstein Award of Excellence.”

Richard, outside of the practice of law, is involved in a diversified interests in the community. He currently serves as the chair of the Adrienne Arsht Center for the Performing Arts and has been involved in the cultural community since the inception of his practice. Richard is a former chair of the Miami Foundation and of Inter Professional Council, formerly a board member of SAVE, founding president of Bet Shira Congregation, and member of the Miami Dade County Cultural Affairs Council and of the Independent Review Panel.

## Published Work and Lectures

- Miami Dade Bar, Probate & Guardianship Committee, Speaker, “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
- Estate Planning Council of Greater Miami Annual Symposium, Speaker, “How to Avoid Me through Advance Directives,” 2017
- The Seminar Group, Comprehensive Elder Law for the General Practice Attorney, Speaker, “Guardianship of the Elderly,” August 2016
- The Herrans Group at Merrill Lynch, Wealth Management Conference, Speaker, “Same Sex Couple Planning,” August 20, 2015, Puerto Rico
- SunTrust Private Wealth Management Roundtable, Speaker, “The Recent U.S. Supreme Court Ruling on Same Sex Marriage: What Was...What Is...What Will Be... Planning Techniques for your Clients and Future Challenges,” August 18, 2015
- University of Miami School of Law’s Public Interest Ceremony, Keynote Speaker, April 9, 2015
- Broward College, Religious Liberty and Same Sex Marriage Forum, Panelist, October 13, 2014
- Probate and Guardianship Committee, CLE Program Presenter, “DOMA: Deciphering the Rights of Marriage Equality,” September 11, 2014
- *34th Annual South Florida FPA Conference*, Speaker, “DOMA, Trying to Decipher the Ruling and its Application,” April 25, 2014
- Dade County Bar Association, *Bench & Bar Conference*, “The Stars of Family Law,” February 28, 2014
- Dade County Bar Association Probate and Guardianship Committee, Moderator and Speaker, “Probate & Guardianship: Fees, Fees, and More Fees!” January 15, 2014
- Dade County Bar Association Probate and Guardianship Committee, Speaker, “Financial Exploitation - The Epidemic is Here,” May 2013
- American Civil Liberties Union, Speaker, “DOMA Town Hall: How *U.S. v. Windsor* Impacts You,” March 2013
- Dade County Bar Association Guardianship and Probate Committee, Speaker, “Guardianship Summit Standards and Recommendations,” May 2012
- Estate Planning Council of Greater Miami, Speaker, “Presentation in Diminished Capacity,” 2012

- White House Office of Public Engagement and University of Miami Center on Aging, Speaker, White House LGBT Conference on Aging, May 2012
- Miami-Dade Gay and Lesbian Chamber of Commerce, Keynote speaker, 1st Symposium on Aging, September 2011
- Introduction on Professionalism for all Continuing Legal Education Books for the Florida Bar 1999-current, Real Property, Probate and Trust Law Section.
- Chapters on Guardianship, Ethics and on Elder Law Issues for Florida Bar Continuing Legal Education Books, 1985-current.
- Lectures on Guardianship, Ethics and Elder Law Issues, Same Sex Couples and Domestic Partnership Rights and Obligations, Florida Bar, NAELA, and other organizations, and Elder Law Issues, locally, statewide and nationally.
- Florida Guardianship Practice, Chapter - Role of Attorney in Planning, 2nd, 3rd, 4th, 5th, and 6th Editions

## Affiliations

- American Bar Association Commission on Law and Aging, Commissioner, 2010-2013
- Adrienne Arsht Center for the Performing Arts
  - Chair, 2022-Present
  - Chair elect 2020-2022
  - Board of Directors, 2007-Current
  - Counsel (Pro Bono), 2001–2007
  - Committees, 1998–2022
  - Governance Committee, 1991-1993
- American Bar Association, House of Delegates, 1990-1993
- Dade County Bar Association, Board of Directors, 2014 - Present
- Dade County Bar Association, Past President, 1988-1989
- The Florida Bar, Commission on Legal Needs of Children; Supreme Court Commission on Guardianship Monitoring; Real Property; Probate and Trust Law Sections; Probate and Guardianship Law Committees; Elder Law Section, Past Chair; Elder Law Certification Committee; Council of Sections, Past Chair, 2003-2004
- Academy of Florida Trial Lawyers, Member
- American College of Trust and Estate Counsel, Member
- Cuban American Bar Association, Member
- Florida Association for Women Lawyers, Member
- Florida Bar Ethics Committee, Member
- Florida State Guardian Association, Member
- Miami-Dade Chamber of Commerce, Member, Trustee
- National LGBT Bar Association, Member
- National Association of Elder Law Attorneys, Member
- National College of Probate Judges, Member
- Adrienne Arsht Center for the Performing Arts, Board of Directors, Secretary
- New Leaders Council Miami, Mentor

## Honors and Distinctions

- *South Florida Business Journal*, 2024-2025, Power Leaders in Corporate Philanthropy
- Mosaic Miami, 2025, Silver Medallion Humanitarian
- Arts & Business Council Serving the Arts Award, 2025, Board Member of the Year
- YWCA South Florida Court Care, Hall of Fame Inductee, 2024
- *Best Lawyers*, 2004-2025, Listed in Florida for Elder Law, Family Law, Trusts and Estates Law, and Litigation - Trusts & Estates Law
- *Best Lawyers*, 2022, Named as a “Lawyer of the Year” for Litigation-Trusts and Estates in Miami
- *Super Lawyers* Magazine, 2004-2024, Listed in Florida for Estate & Trust Litigation
- *Chambers* Diversity & Inclusion USA Awards, 2019, Highly commended in the LGBT+ Equality Lawyer of the Year category
- The Florida Bar Foundation, Medal of Honor, 2019
- Dade County Bar Association, Names the “Richard C. Milstein Award of Excellence” presented annually to a recipient in the areas of professionalism and pro bono
- Dade County Bar Association, LGBTQ + Pride Celebration, Legacy Award, 2018
- *South Florida Legal Guide*, Listed as “Top Lawyer” in Family Law, 2006-2012, Distinguished Lawyer, 2012; Listed as “Top Lawyer” in Fiduciary Litigation, 2014-2019
- SAVE, 2014 Champions of Equality, Award Recipient
- United HomeCare, 18th Annual Claude Pepper Awards, Recognized as 2012 Education/Advocacy honoree
- SAVE Dade Hall of Champions for Equality, May 2012
- *Florida Trend’s* Legal Elite, 2004-2010, 2021, Listed for Wills, Trusts & Estates
- *South Florida Business Journal*, 2004-2010, Recognized as “Best of the Bar”
- *Who’s Who for Lawyers in America*, 1990-2012
- Big Brothers Big Sisters Miracle Makers Award, 2011
- University of Miami Alumni Association, Recipient of the 2010 Thomas Davison, III Memorial Award
- Greater Miami Jewish Federation, 2009, Honorable Theodore “Ted” Klein Special Recognition Award
- Anti-Defamation League, 2008, Jurisprudence Award
- Care Resource 25th Anniversary Community Service Award, 2008
- *South Florida Legal Guide*, Top Lawyers 2014, Listed for Fiduciary Litigation
- The American Way Foundation, 2007, Received “Spirit of Liberty Award from the People”
- Miami Dade College, 2007, Hall of Fame Inductee
- Miami-Dade Gay and Lesbian Chamber of Commerce, Businessman of the Year, 2007
- *Ocean Drive’s* Power List, 2007, “A Wrap-Up of Those Who Make Miami Magic”
- Stetson University College of Law, 2007, Received “Wm. Reece Smith, Jr. Public Service Award”
- LGBT National Task Force, 2005, Miami Herald Humanitarian Award

- Leave a Legacy, 2003, Awarded the “Professional Advisor of the Year Award”
- University of Miami Law School, Recognized as “Outstanding Alumnus,” 1999
- The Florida Bar, 1987, 1997, President’s Pro Bono Award
- John Minor Wisdom Professionalism Award, 1997
- Florida Supreme Court, 1996, Tobias Simon Pro Bono Service Award