

J. RICHARD CASKEY
J. Richard Caskey, PA
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PRACTICE: Litigation, mediation, and appeals of estate and trust disputes, including: probate litigation; trust litigation; real estate litigation; will and trust contests; lost or destroyed wills; fiduciary accountings; disputed investment of assets; defense of trustees; removal of trustees; trustee malfeasance; homestead disputes; will and trust modification and reformation; pursuit and defense of creditors' claims; life insurance disputes; guardianship disputes; fiduciary fee disputes; attorney fee disputes; and general fiduciary liability. Probate administration. Trust administration. Mediation.

Admitted to The Florida Bar and all Florida State Courts

Admitted to United States District Court, Middle District of Florida

Florida Supreme Court Certified Circuit Mediator

Florida Supreme Court Certified Appellate Mediator

Florida Qualified Court Appointed Arbitrator

Fellow of the American College of Trust and Estate Counsel (ACTEC)

PROFESSIONAL EXPERIENCE:

Present	J. Richard Caskey, PA, Tampa, FL
2003 - 08	Steven L. Hearn, PA, Tampa, FL
2001 - 03	Akerman Senterfitt, Tampa, FL

EDUCATION:

2001 Juris Doctor (J.D.), *With Honors*, University of Florida College of Law
- *Book Award* in Mediation Clinic
- *Book Award* in Trial Practice
- *Book Award* in Income Taxation

2000 Master of Business Administration (M.B.A.), University of Florida
- Dual concentrations in Finance and Management
- Poe Ethics Fellowship

1997 Bachelor of Science (B.S.) in Accounting, University of Florida

BAR ASSOCIATION ACTIVITIES:

The Florida Bar Real Property, Probate & Trust Law (RPPTL) Section

- Probate and Trust Litigation Committee (2005 – Present)
 - Chair (2018 - 2023)
 - Vice Chair (2011 – 2018)

- Probate Law and Procedure Committee (2005 – Present)
 - Liaison to The Florida Bar Probate Rules Committee (2009 – 2011)

- Executive Council (2007 - Present)

- *ActionLine* magazine (past Editor-in-Chief) (Substantive legal publication for the RPPTL Section with quarterly circulation of approximately 10,000)

The Florida Bar

- Probate Rules Committee (2009 – 2015; 2023 - present)
 - Vice-Chair (2011 – 2012; 2014 - 2015)
 - Liaison to RPPTL Probate Law and Procedure Committee (2009 – 2011)

- Code and Rules of Evidence Committee (2018-2023)
 - Liaison to Probate Rules Committee

- Rules of Judicial Administration Committee
 - Liaison Sub-Committee, Vice-Chair (2012 – 2015)
 - Liaison to Probate Rules Committee (2011 – 2015)

Hillsborough County Bar Association (HCBA)

- Executive Committee; HCBA Leadership Institute (2008-09)
- Chair; Real Property, Probate & Trust Law Section (2005-07)

AWARDS AND RECOGNITION:

Selected as one of only four lawyers in the state of Florida for the 2009 *Florida Super Lawyers* inaugural "Rising Stars" list in the area of Estate and Trust Litigation. Repeatedly selected as a "Super Lawyer" in the area of Estate and Trust Litigation.

Repeatedly selected by *Florida Trend* magazine as a member of the "Florida Legal Elite" list.

Repeatedly selected by *The Best Lawyers in America* in the area of trusts and estates litigation.

Awarded the James M. "Red" McEwen Memorial Award for outstanding service to the Hillsborough County Bar Association.

Rated *AV Preeminent*, Martindale-Hubbell.

COMMUNITY INVOLVEMENT:

Board of Directors-MTC Foundation (present); MacDonald Training Center, Inc. (Treasurer, 2014-18) (Organization to empower people with disabilities to lead the lives they choose)

President; St. John's Episcopal Day School Dad's Club (2014-15)

Volunteer Little League Baseball Coach (2010 - 15)

Volunteer Florida County Court Mediator (2001-03)

Alachua County Restorative Juvenile Justice Program Mediator (2001)

ARTICLES AND PUBLICATIONS:

Florida Guardianship Practice, Chapter 6, "Use of Joint Assets" (The Florida Bar 7th ed. 2011; 8th ed. 2014; 9th ed. 2016; 10th ed. 2018; 11th ed. 2021; 12th ed. 2023)

"Alleging Undue Influence: Maybe You Don't Have to Be So Presumptuous"

- The Florida Bar RPPTL *ActionLine* magazine, Spring 2010

"Homestead and Pay-on-Death Accounts: Two Completely Unrelated Cases of Interest"

- The Florida Bar RPPTL *ActionLine* magazine, Spring 2009

"Protecting the Homestead; Protecting the Public: Waiver of homestead exemption from forced sale is unenforceable." - HCBA *Lawyer* magazine, May 2008

"Second District Court of Appeal Upholds Constitutionality of Elective Share"

- The Florida Bar RPPTL *ActionLine* magazine, Spring 2008

"In Search of the Laughing Heir"

- HCBA *Lawyer* magazine, June 2007

"Looking for the Laughing Heir: Potential Expansion of Intestate Succession Laws"

- The Florida Bar RPPTL *ActionLine* magazine, Summer 2007

"Changes in the Law Regarding Revocable Trusts"

- HCBA *Lawyer* magazine, October 2006

"Homestead and Amendment 10: Don't Let the 'Cap' Out of the Bag"

- HCBA *Lawyer* magazine, April 2006

"Equitable Adoption: Setting Things Right"

- HCBA *Lawyer* magazine, November 2005

"Reformation of an Unambiguous Trust Instrument"

- HCBA *Lawyer* magazine, September 2005

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**SPEAKING ENGAGEMENTS, LECTURES, AND SEMINAR
PRESENTATIONS:**

“NexGen Quick Fire – Lots of Q & A”

Panel Member

and

“Artificial Intelligence – Real Law Firm”

Speaker

The Probate Team 2024

Florida Legal Education Association (FLEA); Continuing Legal Education
Orlando, FL October 18-19, 2024

“Running a Mediation Practice”

Stetson University College of Law

Guest Lecturer, Gulfport, FL, September 18, 2024

“Practical Issues in Protecting Clients from Exploitation”

Gulf Coast Estate Planning Council

Featured Speaker Trinity, Florida, September 10, 2024

“Implications of Artificial Intelligence for Fiduciaries”

Fifth Annual Fiduciary Conference

Professional Fiduciary Council of Florida

Speaker, Clearwater, Florida, May 3, 2024

“The Future of Guardianship Litigation”

2024 Annual Guardianship Seminar

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education

Speaker, Tampa, Florida, April 12, 2024

“Artificial Intelligence Ethics in the Practice of Law”

Litigation and Trust Law Symposium 2024

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education

Speaker, Tampa, Florida, April 11, 2024

“Technology, GPT and AI”

Speaker

and

“Legal Ethics, Professionalism and AI”

Panel Member

Across the Pond: Comparing the Past and Future of Law with AI

West Pasco Bar Association; Continuing Legal Education

Speaker and Panel Member, Port Richey, Florida, April 4, 2024

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“Dispute Resolution and Collaborative Mediation”

Tampa Bay Estate Planning Council

Featured Speaker, Tampa, Florida, March 20, 2024

“The Future of Estate Litigation”

Estate, Trust and Guardianship Seminar

Orange County Bar Association; Continuing Legal Education

Speaker, Orlando, Florida, February 21, 2024

“Estate Litigation”

2024 Wills, Trusts & Estates Certification Review Course

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education

Speaker, Tampa, Florida, February 2-3, 2024

“Practical and Ethical Implications of ChatGPT and Generative AI”

2023 Probate Law

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education

Speaker, Ft. Lauderdale, Florida, November 17, 2023

“Artificial Intelligence in Probate Cases”

2023 Fall Conference

National College of Probate Judges

Panel Member, Tampa, Florida, November 15-18, 2023

“Probate Power Hour – Case Law Update”

The Probate Team 2023

Florida Legal Education Association (FLEA); Continuing Legal Education

Orlando, Florida October 20-21, 2023

“Let’s Settle This Like Adults! Avoiding Malpractice and Other Hidden Mediation Perils”

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education

Co-Speaker, Webinar, September 14, 2023

“Current Issues in Fiduciary Litigation”

24th Annual Professionals Seminar

Advent Health Foundation/Lake Sumter State College; Continuing Legal Education

Featured Speaker, Leesburg, Florida, August 25, 2023

“To Fee or Not to Fee? Fees in Guardianship Cases”

2023 Guardianship Seminar

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education

Panel Member, Tampa, Florida, April 28, 2023

“Administration and Litigation Co-Counsel: Navigating the Probate Code Strategically in Estate Disputes”

Litigation and Trust Law Symposium 2023

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education
Panel Member, Tampa, Florida, January 26, 2023

“Probate – Best Practices and Novel Issues in Litigation”

Bench and Bar CLE

The Clearwater Bar and St. Petersburg Bar Association; Continuing Legal Education
Panel Member, Gulfport, Florida, November 18, 2022

“The NexGen Players Panel: Creditors and Other Questions”

Panel Member

and

“Filing and Serving Pleadings and ‘Communication Technology’ in the Remote World”

Speaker

The Probate Team 2022

Florida Legal Education Association (FLEA); Continuing Legal Education
Orlando, FL October 14-15, 2022

“Alternative Dispute Resolution: Mediation Essentials”

Stetson University College of Law

Guest Lecturer, Gulfport, FL, September 14, 2022

“Modern Dispute Resolution: How to Play Nice in the Sandbox”

40th Annual Attorney/Trust Officer Liaison Conference

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education
Panel Member, Palm Beach, Florida, August 19, 2022

“The Rules Are Changing: Proposed Amendments to Rules of Civil Procedure”

The Florida Bar Real Property, Probate & Trust Law Section; ALMS

Co-Speaker, Webcast, May 5, 2022

“Pitfalls for Personal Representatives: Risks and Responsibilities”

Estate, Trust and Guardianship Seminar

Orange County Bar Association; Continuing Legal Education
Remote Presentation, February 11, 2022

“Case Law Update: The Recent Rulings Every Probate Practitioner Should Know”

2021 Probate Law CLE

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education
Featured Speaker, Fort Lauderdale, Florida, November 19, 2021

“Limiting Trustee Liability upon Termination, Resignation, Removal and Discharge”

39th Annual Attorney/Trust Officer Liaison Conference

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education
Co-Speaker, Palm Beach, Florida, August 20, 2021

“Goodstein, Gordon, and Goldfish (actually ‘Trust Stuff’ but we couldn’t think of another ‘G’ word)”

41st Annual Legislative and Case law Update

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education
Co-Speaker, Palm Beach, Florida, July 23, 2021

“Adoption and Dilution of Trust Interests”

ACTEC Florida Fellows 2021 Meeting

The American College of Trust and Estate Counsel; Continuing Legal Education
Co-Speaker, Palm Beach, Florida, July 21, 2021

“Introduction to the Virtual Law Office”

RPPTL Convention CLE: The Virtual Law Office

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education
Co-Speaker, Marco Island, Florida, June 4, 2021

“2021 Trust and Estate Symposium”

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education
Program Chair, Webcast, May 7, 2021

“Lost and Found: Litigating Lost and Later-Discovered Wills”

Estate, Trust and Guardianship Seminar

Orange County Bar Association; Continuing Legal Education
Remote Presentation, February 12, 2021

“Best Practices for Remote Mediations”

Hillsborough County Bar Association RPPTL Section; Continuing Legal Education
Featured Speaker, Remote Presentation, January 14, 2021

“Estate Mediations in the Remote Era”

Dade County Bar Association, Probate and Guardianship Committee
Featured Speaker, Remote Presentation, October 13, 2020

“Making the Most of Mediation in Estate Disputes”

Orange County Bar Association; Continuing Legal Education
Featured Speaker, Remote Presentation, May 11, 2020

“Virtual Mediation During the Pandemic”

The Florida Bar Real Property Probate and Trust Law Section
Webinar (rpptl.org) April 3, 2020

“Staying out of Trouble!”

Professional Fiduciary Council of Florida

Panel Member, St. Petersburg, Florida, February 6, 2020

“Top 10 Issues in Estate and Trust Mediations”

St. Petersburg Bar Association; Continuing Legal Education

Featured Speaker, St. Petersburg FL, December 10, 2019

“Probate and Trust Professionals Panel”

Bench and Bar CLE

Clearwater and St. Petersburg Bar Association; Continuing Legal Education

Panel Member, Gulfport, Florida, November 15, 2019

“Expert Evidence – Admission, Ethics and the Daubert/Frye Conundrum”

Hot Topics in Evidence 2019

The Florida Bar; Continuing Legal Education

Co-Speaker, Orlando, FL, June 7, 2019

“Mediation in Trust and Estate Matters”

Hillsborough County Bar Association RPPTL Section; Continuing Legal Education

Featured Speaker, Tampa, FL, May 9, 2019

“Expert Witnesses – When You Can Use Them and How”

2019 Litigation and Trust Law Symposium

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education

Co-Speaker, Ft. Lauderdale, FL, March 29, 2019

“What Every Planning Professional Should Know about Undue Influence”

Gulf Coast Estate Planning Council

Featured Speaker Trinity, FL, January 15, 2019

“Case Law Update”

Probate Law 2018

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education

Tampa, FL, November 2, 2018

“Where Guardianship and Trust Law Intersect”

Orange County Bar Estate, Guardianship and Trust Seminar

Orange County Bar Association; Continuing Legal Education

Panel Member Orlando, FL, October 12, 2018

“Pitfalls of the Personal Representative: Powers and Duties”

Collier County Bar Association Trusts and Estates Symposium

Collier County Bar Association; Continuing Legal Education

Naples, FL March 23, 2018

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“It’s off to Court We Go - Guardianship Power over Trusts”

RPPTL Litigation and Trust Law Symposium 2018

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education
Co-Program Chair and Panel Member Tampa, FL, March 2, 2018

“Probate Power Hour – New Cases and Statutes”

The Probate Team

Florida Legal Education Association (FLEA); Continuing Legal Education
Orlando, FL October 20-21, 2017

“Guardianship Authority over Trusts”

RPPTL Guardianship Seminar 2017

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education
Miami Gardens, FL, April 28, 2017

“Mediation Issues in Guardianship”

Hillsborough County Bar Association Elder Law Section; Continuing Legal Education
Featured Speaker, Tampa, FL, January 20, 2017

“Probate Rules Update”

Hillsborough County Bar Association Real Property, Probate & Trust Law Section
Featured Speaker, Tampa, FL, November 17, 2016

“Fiduciary Liability and Elder Exploitation Claims”

Opening the Chamber of Secrets: What You Need to Know for Your Estate Practice
Orange County Bar Association; Continuing Legal Education
Orlando, FL, October 14, 2016

“Elder Exploitation Issues for the Fiduciary”

St. Petersburg Bar Association; Continuing Legal Education
Featured Speaker, St. Petersburg FL, April 12, 2016

“Current Issues for Elder Exploitation”

Hillsborough County Bar Association Elder Law Section; Continuing Legal Education
Featured Speaker, Tampa, FL, April 8, 2016

“Elder Abuse Issues (and Traps) for the Fiduciary”

2016 Litigation and Trust Law Symposium

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education
Tampa, FL, March 4, 2016

“Guardianship and Probate Mediation”

2015 UnProgram

Academy of Florida Elder Law Attorneys; Continuing Legal Education
Facilitator, Orlando, FL, December 5, 2015

“Avoiding Litigation in Probate”

Suncoast Estate Planning Council

Featured Speaker, St. Petersburg, FL, December 3, 2015

“Expansion of Standing to Protect Assets of the Elderly”

Hillsborough County F.A.S.T. Task Force

Featured Speaker, Tampa, FL, May 6, 2015

“Fulfilling Duties: A Guide to Counsel for the Personal Representative”

Probate Law 2014 Seminar

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education

Tampa, FL, December 12, 2014

“Probate – A View from the Bench”

18th Annual Bench/Bar Conference

Hillsborough County Bar Association

Moderator, Tampa, FL, October 30, 2014

“Undue Influence? Prove it!”

The Probate Team

Florida Legal Education Association (FLEA); Continuing Legal Education

Orlando, FL October 10-11, 2014

“Exploitation of Vulnerable Adults – Protecting the Assets of the Elderly”

Hillsborough County Bar Association Real Property, Probate & Trust Law Section

Featured Speaker, Tampa, FL, October 9, 2014

“Avoiding Litigation in Probate”

Hillsborough County Bar Association Real Property, Probate & Trust Law Section

Featured Speaker, Tampa, FL, November 14, 2013

“Will Contests and Probate Litigation”

Stetson University College of Law

Guest Lecturer, Gulfport, FL, March 5, 2013

“Homestead Law Update”

Hillsborough County Bar Association Real Property, Probate & Trust Law Section

Featured Speaker, Tampa, FL, November 8, 2012

“Marital Agreements: Inheritance and Other Rights of a Surviving Spouse”

Collaborative Divorce Institute of Tampa Bay

Featured Speaker, Tampa, FL, June 13, 2012

“Professional Practice and Conflicts in Estate Planning”

Venice Estate Planning Council

Featured Speaker, Venice, FL, May 14, 2012

“I’m No Carpenter - Litigating Undue Influence without the Presumption”

Litigation and Trust Law Symposium 2012

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education

Ft. Lauderdale, FL, May 10, 2012

Tampa, FL, May 11, 2012

“Adversary Proceedings in Probate”

The Florida Bar Elder Law Section, Probate Committee

Featured Speaker, May 8, 2012

“Probate Law 2012”

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education

Program Chair, Ft. Lauderdale, FL, March 22, 2012

“Nuts and Bolts of Probate, Trust, and Guardianship Practice”

15th Annual Bench/Bar Conference

Hillsborough County Bar Association

Speaker, Tampa, FL, November 17, 2011

“Rules of Judicial Administration Update”

Plant City Bar Association; Continuing Legal Education

Featured Speaker, Plant City, FL, April 8, 2011

“Use of Rules of Civil Procedure in Probate”

Rules, Deadlines, and Essential Issues and Developments in Probate Practice

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education

Program Chair and Speaker

Tampa, FL, March 17, 2011

Ft. Lauderdale, FL, March 18, 2011

“Alleging Undue Influence: Maybe You Don’t Have to Be So Presumptuous”

Hillsborough County Bar Association Real Property, Probate & Trust Law Section

Featured Speaker, Tampa, FL, March 10, 2011

“Alleging Undue Influence”

Sarasota Bar Association; Continuing Legal Education

Featured Speaker, Sarasota, FL, January 26, 2011

“Issues of Judicial Concern in Probate, Trust, and Guardianship Proceedings”

14th Annual Bench/Bar Conference

Hillsborough County Bar Association

Moderator, Tampa, FL, November 16, 2010

“It’s My Indispensable Party and I’ll Die If I Want To: Jurisdiction, Notice, and Interested Parties Under the Probate Code”

When Good Estates Go Bad: Dealing with Unexpected Issues in Probate

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education

Tampa, FL, March 25, 2010

Ft. Lauderdale, FL, March 26, 2010

“Redistributing the Wealth: Obtaining Attorneys’ Fees in Estate and Trust Matters”

Trust and Estate Stimulus Package: Shovel-Ready Issues for Planners and Litigators

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education

Ft. Lauderdale, FL, February 10, 2010

Tampa, FL, February 11, 2010

“Hip-Hopping on Adoption and Paternity Issues”

So You Think You Can Dance...But Can You Do the Probate Shuffle?

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education

Ft. Lauderdale, FL, March 19, 2009

Tampa, FL, March 20, 2009

“The Least Restrictive Alternative”

The Guardianship Team

Florida Legal Education Association (FLEA); Continuing Legal Education

Tampa, FL February 20-21, 2009

“Avoiding Legal Arthritis: Treatment of ‘Joint’ Issues”

2009 Estate and Trust Symposium:

The Best Laid Plans ... A Showdown Between the Drafters and the Litigators

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education

Co-Speaker, Tampa, FL, February 12, 2009

Speaker, Ft. Lauderdale, FL, February 13, 2009

“Conflicts of Interests in Estate and Trust Matters”

St. Petersburg Bar Association; Continuing Legal Education

Featured Speaker, St. Petersburg FL, November 20, 2008

“The Prudent Practitioner: Avoiding Conflicts of Interests in Estate and Trust Matters”

Clearwater Bar Association; Luncheon CLE Series

Featured Speaker, Clearwater, FL, October 16, 2008

“Various Conflicts of Interests that Might Arise in Estate and Trust Matters”

Estate, Trust and Tax Issues at Their Best!

Hillsborough County Bar Association; Continuing Legal Education
Tampa, FL, October 14, 2008

“Rules of Professional Conduct and Conflicts of Interests”

Hillsborough County Bar Association Real Property, Probate & Trust Law Section
Featured Speaker, Tampa, FL, March 13, 2008

“Who’s in Charge?: Liability Issues and Concerns for Directed Trustees”

Your 2008 Estate and Trust Symposium: Litigating Under the New Florida Trust Code

The Florida Bar Real Property, Probate & Trust Law Section; Continuing Legal Education
Ft. Lauderdale, FL, February 7, 2008
Tampa, FL, February 8, 2008

“The Creative Undue Influencer: Challenging Marriage in Probate”

Hillsborough County Bar Association Real Property, Probate & Trust Law Section
Featured Speaker, Tampa, FL, September 13, 2007

Law Student Forum

The Florida Bar Real Property, Probate & Trust Law Section
Panel Member, Gulfport, FL 2004
Panel Member, Gainesville, FL 2002

Law School Symposium

Phi Alpha Delta
Keynote Speaker, Gainesville, FL 1999; 2000; 2001; 2002