



Carly Weiss is a partner in the Probate and Guardianship and Trusts and Estates practice groups. She represents fiduciaries, beneficiaries, and other interested persons in guardianship, trust, and probate matters. Her experience includes handling will and trust contests, removal actions, breach of fiduciary duty matters, incapacity determinations, elder exploitation cases, contested fiduciary appointments, and fee disputes.

### Representative Matters

- Prevailed on Motion to Dismiss and Motion for Summary Judgment in will contest involving allegations of fraud, undue influence, and lack of capacity, which resulted in a judgment for the attorney's fees of the firm's client to be paid by the plaintiffs personally.
- Obtained judgment removing personal representative who attempted to prevent the decedent's daughter from inheriting his estate.
- Prevailed in trial over the ownership of a decedent's bank account, which resulted in a finding that the bank account was not a survivorship account passing to one child only, but an asset of the estate.
- Obtained emergency temporary guardianship and order freezing assets of a vulnerable adult's family members who were subject to exploitation and theft from her siblings.
- Successfully represented personal representative, and Decedent's son, in an effort by an ex-wife to make a claim for formerly co-owned property.
- Successfully represented an alleged incapacitated person in contested incapacity hearing to retain several of her civil rights to retain autonomy and dignity in her life.
- Investigated and coordinated with the State Attorney's Office in a matter involving exploitation and theft by former guardian resulting in the arrest and filing of felony charges against the former guardian as well as obtaining restitution for the ward from the various sureties who issued bonds for the former guardian.

### Awards and Recognition

- Florida Super Lawyer, 2020-2022
  - Rising Star
- South Florida Legal Guide, 2021
  - Up and Comer
- Winner, Outstanding Performance Award, 8th Annual Regional Child Welfare Conference, 2013

### Speaking Engagements

- Panelist, "You be the Judge," Dade County Bar Association, Young Lawyers Section and Probate & Guardianship Committee, and Dade Legal Aid/Put Something Back, January 2021
- Panelist, "You be the Judge," Dade County Bar Association, Young Lawyers Section and Probate & Guardianship Committee, and Dade Legal Aid/Put Something Back, January 2020



### Contact Information

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### Education

J.D., *magna cum laude*, Benjamin N. Cardozo School of Law

B.A., Washington University, St. Louis, Missouri

### Admitted to

Florida  
New York

### Prior Affiliations

Department of Children and Families