



GUNSTER

FLORIDA'S LAW FIRM FOR BUSINESS

WILLIAM T. HENNESSEY



Shareholder

Private Wealth Services Chair, Probate, Trust & Guardianship Litigation

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Mr. Hennessey is Chairman of the Probate, Trust and Guardianship litigation practice. He is the immediate past chair of the Probate and Trust Litigation Committee of the Real Property, Probate, and Trust Law Section (RPPTL) of the Florida Bar and is a member of RPPTL's Executive Council. He is a Fellow of the American College of Trust and Estate Counsel (ACTEC) and a frequent author and lecturer on probate and trust litigation topics.



Practice Areas

- Probate, Trust and Guardianship Litigation
- Will and Trust Contests and Defense of Fiduciaries and Beneficiaries
- Complex and Disputed Estate and Trust Administration
- Estate, Gift and Generation-Skipping Tax Planning
- Business Succession Planning
- Will and Trust Construction and Reformation
- Trust Modification, Revocation, and Termination
- Surcharge and Removal Litigation
- Competency Proceedings

Education

University of Florida, J.D., highest honors, 1996

Senior Editor, *Florida Law Review*

Teaching assistant, legal research and writing

University of Florida, B.S. Accounting, highest honors, 1993

Bar Admissions

The Florida Bar

Probate and Trust Litigation Committee, Immediate Past Chair

Ad Hoc Estate Planning Conflicts of Interest Committee, Chair

Legislative Vice Chair (Probate), RPPTL Section

Executive Council of RPPTL Section

Probate Rules Committee, RPPTL Section

Probate Law and Procedure Committee, RPPTL Section

Trust Law Committee, RPPTL Section

Ad Hoc Jurisdiction and Venue Committee, RPPTL Section

Honors

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

The Best Lawyers in America's West Palm Beach Litigation – Trusts & Estates Lawyer of the Year, 2013

The Best Lawyers in America, Trusts & Estates, 2008-14

AV Rated as independently determined by Martindale-Hubbell

Florida Super Lawyers, 2008-09, 2012/13

South Florida Legal Guide

Florida Trend, Legal Elite, 2013

Recent Seminars & Presentations

2012 Legislative Update: "Tales from the Sausage Works" (Palm Beach County Bar Association, 2012)

"You Want to Give Me What?" Ethical Considerations for Drafting Attorneys (Florida Bar) 2012

2011 Legislative Update: "The Future Ain't What is Used to Be!" (Palm Beach County Bar Association, 2011)

The First Line of Defense?! Know Your Client, Probate Team (Florida Legal Education Association 2011)

Strings Attached: Enforcing Your Donor Intent (2011)

"Fiduciary Litigation in an Era of Rapidly Changing Technology: Will You Be the Last Samurai?," ACTEC 2010

Attorney and Fiduciary Liability, Ten Pounds of Duty in a Five-Pound Bag (Greater Boca Raton Planning Council, April 2010)

"It Was Right Here – a Little While Ago ... and I'm Sure It Said ..." Lost, Destroyed and Altered Wills (Probate Team, Florida Legal Education Association, 2010)

"Avoiding the Grinch: Drafting, Enforcing, and Challenging Charitable Pledges," Planned Giving Council/East Coast Estate Planning Council, 2009

"On the Hook", Ineffective Delegation of Fiduciary Functions (Florida Bankers Association, 2009)

"Out With the Old, In For the New: Succession of Fiduciaries (Florida Legal Education Association, 2009)

Third Annual Seminar, Ethics, ALI-ABA/ACTEC 2009

Recent Seminars and Presentations (continued)

- Chinks in the Armor – How Much Protection Do Exculpatory Clauses and Waivers of the Provident Investor Rule Really Provide (Florida Bankers Association, 2009)
- “Till Death Do Us Part: Challenging the Validity of Marriage in Probate Proceedings,” *Your 2007 Trust & Estate Symposium* (Florida Bar), Florida Fellows Meeting, ACTEC 2008
- “Conflicts Quagmire I: Payment of Trustee Attorneys’ Fees When Defending Breach of Duty Claims,” 2008 Legislative and Case Law Update (Florida Bar)
- “Tangled Web- Attorney-Client and Fiduciary Conflicts” Probate Team Florida Legal Education Association, 2008
- “Your 2008 Trust and Estate Symposium- Litigation Under the New Trust Code”, Program Chair (Florida Bar)
- “Conflicts Quagmire II: Recognizing and Addressing Conflicts for Your Fiduciary Clients,” *Your 2006 Trust & Estate Symposium* (Florida Bar)
- “Uncivil War: Navigating the Minefields of Probate and Trust Litigation,” *Wills, Trusts and Estates Certification Review Course* (Florida Bar)
- “What’s Good for the Goose . . . Elective Share and Other Spousal Rights,” *Wills, Trusts and Estates Certification Review Course*
- “Probate and Trust Litigation: When the “Ties That Bind” Unwind,” *Wills, Trusts and Estates Certification Review Course* (Florida Bar)

Publications

- “Be careful what you wish for – Gifts to drafting Attorneys,” *ActionLine Vol. XXXIV*, Fall 2012
- “Intestate Succession,” *Litigation Under Florida Probate Code* (3rd - 8th ed.)
- “Will Construction,” *Litigation Under Florida Probate Code*, (3rd - 8th ed.)
- “Elective Share,” *Practice Under Florida Probate Code*, (3rd - 6th ed.)
- “Establishing the Guardianship,” *Florida Guardianship Practice* (7th ed.)

Civic & Community Service

- Community Foundation of Palm Beach and Martin Counties, Executive Committee of Professional Advisors