

SELECTING A LAWYER SPECIALIZING IN WILLS, TRUSTS, AND ESTATES LAW



**The Florida Bar
Board of
Legal Specialization
and Education**

Selecting A Lawyer Specializing in Wills, Trusts and Estates Law

Maybe you have never needed the services of an attorney before; but now you do. Obviously, you want a lawyer who can handle your particular legal situation, and who has expertise in the area of law relating to your legal needs.

To assist you in finding such a lawyer, the Supreme Court of Florida directed The Florida Bar to offer a "Board Certification" program for Florida lawyers. The program is designed to help the public make an informed decision when seeking and selecting a lawyer.

While all lawyers are allowed to advertise, only certified lawyers are allowed to identify themselves as "Florida Bar Board Certified" or as a "specialist." Certification is the highest level of recognition by The Florida Bar of the competency and experience of attorneys in the areas of law approved for certification by the state Supreme Court.

A lawyer who is a member in good standing of The Florida Bar and who meets the standards set by the Supreme Court of Florida, may become a "Board Certified Wills, Trusts and Estates Lawyer."

Certified lawyers in wills, trusts and estate law deal with all aspects of the analysis and planning for the conservation and disposition of estates, giving due consideration to the applicable tax consequences, both federal and state; the preparation of legal instruments to effectuate estate plans; administering estate, including tax related matters; and probate litigation.

Every lawyer certified in wills, trusts and estate law has practiced law on a full-time basis for at least five years. In instances where the lawyer has earned a LL.M. degree in taxation or estate, planning and probate, four years of practice are necessary. Each certified lawyer has had substantial involvement—40 percent or more—in the practice of wills, trust and estate law during the two years immediately preceding certification. To be certified, the lawyer was required to have substantial involvement in estate planning, planning for incapacity, administration of estates and trusts, fiduciary and transfer taxation, probate and trust law, estates and trust litigation and homestead law in the five years preceding certification.

Each certified lawyer has passed peer review, completed 90 hours of continuing legal education within three years immediately preceding application and has passed a written examination demonstrating knowledge, skills and proficiency in the field of wills, trusts and estates law to justify the representation of special competence.

Board certification is valid for five years, during which time the attorney must continue to practice law and attend Florida Bar-approved continuing legal education courses. To be recertified, requirements similar to those for initial certification must be met. Not all qualified lawyers are certified, but those who are board certified have taken the extra step to have their competence and experience recognized.

Wills, Trusts and Estates Certification was approved for Florida Bar members by the Supreme Court of Florida in 1985.

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