

# Fisher Broyles

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**Practice Areas:** Civil Pretrial & Trial Services; Trust & Estates

**Bar Admissions:** Florida

**Education:** University of Miami School of Law, JD, 2006; Florida Gulf Coast University, BA  
Interdisciplinary Social Science, 2002

**Experience:** Gunster, Yoakley & Stewart, P.A.; Hahn Loeser & Parks, LLP; Roetzel & Andress, LPA

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Jamie concentrates her practice in the areas of estate, trust and guardianship administration and litigation. She counsels her clients on a variety of matters including, but not limited to: will and trust contests, disputed estate and trust administrations, trust modification, revocation and termination, surcharge and removal proceedings, elder guardianship administration, guardianship administration for adults with intellectual disabilities, guardianship litigation and injunctions for exploitation of the elderly. Jamie regularly represents individual and institutional trustees, personal representatives, guardians and agents under durable powers of attorney and health care surrogate designations. Jamie also has an extensive background in commercial litigation (business contracts, shareholder and partnership disputes, real estate disputes, etc.).

## Representative Matters

### Estate/Probate Administration & Litigation

- Represented a surviving spouse in filing and resolving a contested elective share claim
- Represented personal representatives in multi-party litigation concerning the alleged professional malpractice of the decedent during his lifetime
- Represented estate beneficiaries in action seeking removal of a personal representative for breach of fiduciary duty
- Represented personal representatives in an action to invalidate a will that was allegedly obtained by undue influence

- Represented beneficiaries in an action to invalidate a will that was allegedly obtained by undue influence
- Represented personal representatives seeking to admit a lost or destroyed will to probate

### **Trust Administration & Litigation**

- Represented trustees in an action to invalidate a trust agreement that was allegedly obtained by undue influence
- Represented beneficiaries in an action to invalidate a trust agreement that was allegedly obtained by undue influence
- Successfully defended individual and corporate trustees against beneficiaries' claims of misconduct
- Drafted and negotiated beneficiary waivers and releases on behalf of individual and corporate trustees
- Represented trust beneficiaries in action seeking removal of a trustee for breach of fiduciary duty
- Successfully removed an individual trustee for theft and misappropriation of trust assets
- Filed complaints for declaratory judgment seeking court guidance on the interpretation of will and trust agreements
- Represented beneficiaries and fiduciaries in action to reform trust agreements
- Drafted private settlement agreements among trustees and beneficiaries to modify trust terms without seeking a court order
- Represented multiple beneficiaries in filing objections to estate and/or trust accountings
- Participated in mediations involving actions concerning the validity of a will and trust, the removal of the personal representative and/or trustee, breaches of fiduciary duty, and mismanagement of assets

### **Guardianship Administration & Litigation**

- Represented numerous professional guardians in contested guardianship proceedings and administrations
- Successfully obtained orders appointing emergency temporary guardians after evidentiary hearings before the court
- Successfully obtained an injunction against exploitation of the elderly against a former caregiver mentally and financial abusing an elderly individual
- Filed numerous petitions to determine incapacity and appoint plenary guardians on behalf of family members of incapacitated individuals

- Successfully obtained orders appointing plenary guardians after discovery and evidentiary hearings before the court
- Participated in mediations involving contested guardianship proceedings with multiple parties seeking appointment as plenary guardian
- Filed numerous petitions to appoint a guardian advocate for parents of adult children with intellectual disabilities

### Presentations & Teaching Experience

- "Examining the Examining Committee" - Florida Bar Real Property, Probate & Trust Law Section, Annual Guardianship CLE (Feb 2025)
- "Nuts and Bolts of Guardianship" - Florida Bar Real Property, Probate & Trust Law Section (May 2024)
- "Oops! I Did it Again: Avoiding Ethical Pitfalls in Guardianship" - Florida Bar Real Property, Probate & Trust Law Section Annual Guardianship Seminar, Tampa, Florida (Apr 28, 2023)
- "The Estate Planner's Guide to Guardianships" - Collier County Bar Association Trust & Estate Section, Naples, Florida (March 2023)
- "Oops! I Did it Again – Avoiding Ethical Pitfalls in Guardianship" - Florida State Guardianship Association, Southwest Chapter, Annual Seminar (Apr 22, 2022)
- "Taking Care of Business Means Taking Care of Yourself" - Collier County Bar Association Attorney Wellness Initiative (Feb 11, 2022)
- "Hijacking Your Inheritance" - Sanibel Captiva Trust Company (Feb 1, 2022)
- "Hijacking Your Inheritance" - The Naples Trust Company (Jan 18, 2022)
- "Guardian Jedi – May the 4th be With You!" - Trial Law Section of the Collier County Bar Association (May 2021)
- "The Estate Planner's Guide to Guardianships" - Sarasota County Bar Association (March 2021)
- "The Estate Planner's Guide to Guardianships" - Lee County Bar Association (October 2020)
- "Guardianship Case Law, Statute & Rule Update" - Florida Bar Real Property, Probate and Trust Law Section, Annual Guardianship Law Symposium (September 2020)
- "Lunch & Learn – Panel Discussion on Trust, Estate & Guardianship Practice" - Ave Maria School of Law (February 2020)
- "Guardianship Case Law, Statute & Rule Update" - Paralegal Association of Florida, Inc., Southwest Florida Chapter (January 2020)
- "Guardianship Case Law, Statute & Rule Update" - Collier County Bar Association Trust & Estate Section (December 2019)

- “The Estate Planner’s Guide to Guardianships” - Charlotte County Bar Association, Punta Gorda, Florida (October 2019)
- “The Estate Planner’s Guide to Guardianships” - Palm Beach Atlantic University’s Probate & Pumpnickel Seminar Series, Sarasota, Florida (May 2019)
- “A Guide to Guardianship” - Collier County Women’s Bar Association, Naples, Florida (April 2019)
- “Guardianship Legislative & Case Law Update” - Florida Bar, Real Property, Probate and Trust Law Section Annual Guardianship CLE, Tampa, Florida (April 2019)
- “The Estate Planner’s Guide to Guardianships” - Palm Beach Atlantic University’s Probate & Pumpnickel Seminar Series, Naples, Florida (October 2018)
- “Trust Protectors: Superheroes or Mere Mortals?” - Collier County Bar Association, Trusts and Estates Section, Naples Florida (2015) and The Florida Bar

### Publications

- R.E.S.P.E.C.T. My Last Wishes - Adverse Witness, Collier County Bar Magazine (December 2023)
- Guardianship 101: Incapacitated Clients - The Docket, Sarasota County Bar Association (January 2022)
- Guardianship 101 - Incapacitated Clients - Adverse Witness, Collier County Bar Magazine (December 2021)
- Best Practices - Litigating During COVID-19 - Adverse Witness, Collier County Bar Magazine (May 2020)
- The Fiduciary Lawyer-Client Privilege: A Long Road to Confidentiality - The Docket, Sarasota County Bar Association (June 2018)
- The Saga of a \$24,600,000.00 Trustee Fee - Adverse Witness, Collier County Bar Association (March 2016)
- Trust Protectors: 4th DCA Issues Decision - Adverse Witness, Collier County Bar Association (April 2015)
- Trust Protectors: The Florida Fourth District Court of Appeal Issues a Trailblazing Decision - Docket, Sarasota Bar Association (March 2015)
- Bulletin, Dade Bar Association (March 2015); The Lawyer, Hillsborough Bar Association (March 2015)
- Economic Loss Rule Returns to Its Roots - Adverse Witness, Collier County Bar Association (April 2013)

### Awards and Recognitions

- AV® Preeminent rating from Martindale-Hubbell Law Directory
- Named to The Best Lawyers in America® for Trusts and Estates (2021-2025); Litigation - Trusts and Estates (2021-2025); Elder Law (2023-2025)
- Selected to Florida Trend's 2023 Legal Elite NOTABLE - Women Leaders in Law (2023)
- Selected as Naples Illustrated "Top Lawyer" - Trusts and Estates (2019-2022, 2024); Elder Law (2021-2023)
- Selected as a "Legal Elite" in Litigation by Florida Trend magazine (2021)
- Selected as a "Florida Super Lawyers Rising Star" by Florida Super Lawyers magazine (2009-2020)
- American College of Trust & Estate Counsel Florida Fellows Institute Graduate (2017)
- Named in Gulfshore Business Magazine "40 Under 40" (2016)
- Leadership Collier Foundation, Growing Associates in Naples (GAIN ) Program Graduate (2015)

### Association Information

- The Florida Bar, Real Property, Probate and Trust Law Section (2006-present)
  - Executive Council at Large Member (2016-2020)
  - Probate & Trust Litigation Committee (2015-present)
  - Probate Law & Procedure Committee (2015-present)
  - Guardianship and Power of Attorney Committee (2014-present), Co-Vice Chair (2019-2020)
- Collier County Bar Association (2010-present)
  - Board of Directors (2018-2023)
    - Officer, President (2025-2026)
    - Officer, President Elect (2024-2025)
    - Officer, Treasurer (2023-2024)
    - Officer, Secretary & Editor-in-Chief of the *Adverse Witness* (2022-2023)
    - Director (2018-2022)
- Collier County Bar Foundation (2022-present)
  - Board of Directors
    - Officer, Past President (2025-2026)
    - Officer, President (2024-2025)
    - Officer, Treasurer (2023-2024)

- Officer, Secretary (2022-2023)
- Collier County Women's Bar Association (2010-present)
  - Board of Directors (2015-2022)
    - Immediate Past President & Membership Committee Chair (2021-22)
    - President (2020-2021)
    - Vice President and Program Committee Chair (2019-2020)
    - Secretary and Sponsorship Committee Chair (2017-2019)
    - Director & Special Events Committee Chair (2015-2017)
- Florida Twentieth Judicial Circuit Professionalism Committee (2024- present)
- Collier County Bar Association Wellness Initiative, Peer-to-Peer Program Panel Member (2022-present)
- Volunteer, Harry Chapin Food Bank (2021-present)
- Florida Gulf Coast University Planned Giving Advisory Council (2016-2020)
- Champions for Learning™ Planned Giving Advisory Council (2017-2020)
- Champions for Learning™ Classroom Grant Review Committee (2016-2018)
- Guardian Ad Litem Foundation 20th Judicial Circuit, Director (2014-2016)