

Theodore S. Kypreos

Vice Chair & Shareholder

Fellow of the American College of Trust and Estate Counsel

Contact

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Location

505 South Flagler Drive
Suite 1100
West Palm Beach
Florida 33401

Honors & Distinctions

The Best Lawyers in America

Lawyer of the Year, West Palm Beach,
Trusts and Estates Litigation, 2023
Trust and Estates Litigation, 2017-Present

Florida Super Lawyers

The Top 100: Miami, 2023-Present
Estate & Trust Litigation, 2013-Present
Rising Star, 2010-2012

Florida Trend

Legal Elite, 2017, 2018
Up and Comer, 2011-2013

Palm Beach Illustrated

Top Lawyers, Alternate Dispute Resolution,
2019-2021, 2023-Present
Top Lawyers, Trusts & Estates, 2018-2023

Martindale-Hubbell AV® Peer Review Rated

Education



Theodore Kypreos, the firm's Vice Chair and **Trust & Estate Litigation Practice Group** Co-Chair, is an experienced trial and appellate attorney who focuses his practice in the areas of probate and trust litigation, trust and estate administration, guardianship law, and fiduciary litigation.

He represents corporate and individual fiduciaries, beneficiaries, and heirs in all probate, trust, and guardianship settings including will and trust contests, breach of trust actions, trustee removal and accounting actions, will and trust reformation and modification proceedings, contested guardianships, elective share proceedings, Florida homestead disputes, exploitation and tortious interference litigation, and matters relating to probate creditors' claims.

Theo is a Fellow of the American College of Trust and Estate Counsel (ACTEC) and a Past-President of the Palm Beach County Bar Association and its Young Lawyers Section. He is a frequent lecturer for both the PBCBA and The Florida Bar on topics related to probate, trust and guardianship law. Theo is consistently recognized by peer and industry publications, including *The Best Lawyers in America* and *Florida Super Lawyers*, and holds an AV Preeminent® Rating from Martindale-Hubbell, the highest peer rating based upon legal ability and ethical standards. Notably, he was named **2023 Lawyer of the Year** for Litigation - Trusts & Estates in the West Palm Beach metro area by *Best Lawyers in America*.

Experience Highlights

Invalidated Purported Last Will and Testament Due to Undue Influence

Representation of testator's children at trial and in appellate proceedings, whereby the purported last will and testament was successfully invalidated on grounds of testator's incapacity and undue influence exerted by testator's surviving spouse.

J.D., University of Florida

B.S., University of Florida

Admissions

The Florida Bar

Corporately Held Real Estate Ownership Dispute

Representation of successor trustee in appellate proceedings before the Fourth District Court of Appeal and the Florida Supreme Court in trust litigation concerning the ownership of \$1.5 million of corporately held real estate.

Breach of Trust Litigation Concerning Administration of Trust

Representation of corporate trustee in breach of trust litigation concerning the administration of trust in excess of \$100 million in assets.

Interim Trustee for Trusts Totaling \$30 Million in Assets

Appointed as special fiduciary to serve as interim trustee for 9 separate trusts totaling \$30 million in assets.

Successful Defense Against Objections to Petition of Discharge

Successful defense of personal representative against objections to their petition for discharge, final accounting, and plan of distribution, including obtaining a judgment of fees and costs in excess of \$250,000.

Will Contest Involving Ademption

Representation of guardian in a will contest involving ademption of a specific devise.

Contested Guardianship Incapacity Proceedings

Representation in numerous contested guardianship proceedings concerning issues of incapacity and the appointment of guardians.

Successful Defense of Multi-Million Creditor Claim

Successful defense of personal representative against a multi-million creditor claim.

Successful Defense of Claims of Breach of Trust and Fiduciary Duty

Successful defense of testator's daughter and attorney in fact at trial and in appellate proceedings against claims of breach of trust and breach of fiduciary duty associated with the administration of the testator's multi-million dollar revocable trust.

Successful Defense of Validity of Last Will and Testament

Representation of personal representative in successfully defending the validity of the decedent's Last Will and Testament against claims of undue influence and lack of testamentary capacity.

Affiliations

American College of Trust and Estate Counsel

Fellow, 2023-Present

Florida Supreme Court

Judicial Management Council, Workgroup on Uncontested Probate Proceedings, 2024-Present

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The Florida Bar

Chair, Florida Probate Rules Committee, 2018

Member, Florida Probate Rules Committee, 2007-2014, 2018-2021

Real Property, Probate and Trust Law Section (RPPTL)

- Executive Council, 2012-Present

- Chair, Probate Law and Procedure Committee, 2022-Present

Member, Elder Law Section

Palm Beach County Bar Association

President, 2014-2015

President, Young Lawyers Section, 2009-2010

Chamber of Commerce of the Palm Beaches

Trustee, 2009-2021

Board of Directors, 2006-2009

Graduate, Leadership West Palm Beach, 2006

University of Florida Levin College of Law

Board of Trustees, Law Center Association, 2019-Present

President, Law Alumni Council, 2017-2018

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