



Americans Against Abusive Probate Guardianship

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GUARDIANSHIP NEWS: *July 19, 2017 in Holding guardians & attorneys accountable:* **NEWS FLASH!! NM Guardians indicted!! Massive**

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Florida: Jury awards \$16.4 Million against guardianship attorneys

Posted on July 31, 2017 by Admin in [Financial cost of guardianship](#), [Florida](#), [Holding guardians & attorneys accountable](#)

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Notable quote:

"I can't imagine a class of people more susceptible to criminals than wards of a court,"
Clark County, Nevada District Attorney Steve Wolfson

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US District Court – West Palm Beach, Florida

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On Friday, July 28, 2017, a unanimous jury in the U. S. District Court, West Palm Beach Courthouse, awarded \$16,400,000 to the Estate of Oliver Wilson Bivins, Sr., and against West Palm Beach guardianship attorneys, Brian O'Connell and Ashley Crispin of the Ciklin Lubitz & O'Connell law firm. The hotly contested two-week jury trial was handled by BBLF partners Ron Denman, Chuck Bavol and Grant Kindrick.

The jury found that attorneys Brian O'Connell and Ashley Crispin had breached both their professional and fiduciary duties to Oliver Wilson Bivins, Sr., an incapacitated ward of the State of Florida. The complaint against Brian O'Connell and Ashley Crispin and their law firm, Ciklin Lubitz & O'Connell, alleged that they engaged in actions that increased their own attorneys' fees to the detriment of Mr. Bivins' guardianship estate.

In the federal lawsuit filed by his son, Julian Bivins, in his capacity as personal representative of the Estate of Oliver Bivins, Sr., lawyers for the Estate argued during the trial that guardianship attorneys Brian O'Connell and Ashley Crispin, litigated to keep Mr. Bivins located in Florida and to prevent him from returning to his decades old home in Amarillo, Texas, in order to maintain control over the Florida guardianship so they could generate legal fees. Attorneys for the Estate argued that throughout the four-year guardianship, Brian O'Connell, Ashley Crispin and the Ciklin Lubitz & O'Connell law firm charged Mr. Bivins' guardianship estate over \$1,000,000 in legal fees while liquidating real estate assets at values detrimental to the estate and entered into self-serving agreements with third parties that failed to serve the best interests of the guardianship estate. During the guardianship, the court record reflects that Mr. O'Connell and Ms. Crispin also filed lawsuits against both of Oliver Wilson Bivins Sr.'s children and funded the litigation through the substantial assets of their incapacitated father.

The jury's \$16,400,000 verdict award against Brian O'Connell and Ashley Crispin, for actions taken in connection with the guardianship, presided over in the guardianship court by Judge Martin Colin, marks yet another entry into the intrigue surrounding professional guardians in the Palm Beach County Guardianship and Probate Courts. Based on this

... "We used to fear getting cancer. Now we fear getting a guardian by the Court" ...

