FLORIDA THIRD DISTRICT COURT OF APPEAL

Elizabeth Joy Dascal v. In Re: Charles Dascal, et al.

Dascal · No. 3D24-0733 · Decided January 14, 2026

SUMMARY

The Third District Court of Appeal of Florida affirmed an order in a probate-related appeal involving a trust accounting. The court cited Florida Statutes section 736.08135(2)(c) concerning the valuation of trust assets and Pounds v. Pounds concerning interpretation of a trust instrument according to the grantor's intent.

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed January 14, 2026. Not final until disposition of timely filed motion for rehearing. ________________ No. 3D24-0733 Lower Tribunal No. 22-1298-CP-02 ________________ Elizabeth Joy Dascal, Appellant, vs. In Re: Charles Dascal, et al., Appellees. An Appeal from the Circuit Court for Miami-Dade County, Bertila Soto, Judge.

Weiss Serota Helfman Cole & Bierman, P.L. and Edward George Guedes, Laura Keats Wendell and Bryan C. Siddique, for appellant. Katz Baskies & Wolf PLLC, and James Raymond George (Boca Raton), for appellees Jacqueline Dascal Chariff and Ana Maria Camacho.

Before LOGUE, LINDSEY and GOODEN, JJ. PER CURIAM. Affirmed. See § 736.08135(2)(c), Fla. Stat. (2024) ("To the extent feasible, the accounting must identify and value trust assets on hand at the close of the accounting period.

For each asset or class of assets reasonably capable of valuation, the accounting shall contain two values, the asset acquisition value or carrying value and the estimated current value.") (emphasis added); Pounds v. Pounds, 703 So. 2d 487, 488 (Fla. 5th DCA 1997) ("In construing the provisions of a trust, the cardinal rule is to try to give effect to the grantor's intent, if possible.

The grantor's intent should not be determined by resort to isolated words and phrases, but rather by a construction of the instrument as a whole, and the general plan interpreted.") (internal citations omitted). 2