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Jane Musgrave

Palm Beach man Martin Zelman, focus of twisted guardianship case, has died

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© March 29, 2016 | Filed in: 15th Circuit, 4th District Court of Appeal, Civil, Divorce, guardianship, Palm Beach County courts.

A Palm Beach man, who was the focus of what amounted to a custody fight between his wife and his adult children, has died.



Martin and Lois Zelman in 2014 at a reception for American Friends of the Israel Museum's Palm Beach Fundraiser.

The death of Martin Zelman, a successful Long Island real estate investor, was announced by his family in an obituary that appeared on March 8 in the New York Times. He was 87.

His second wife, Lois Zelman, who fought his adult children's efforts to separate them after 15 years of marriage, was not mentioned in the obituary.

Lois Zelman was ordered out of the couple's Palm Beach condo in 2014 by then-Palm Beach County Circuit Judge Diana Lewis. She believed Martin's children's claims that Lois was a threat to their father's well-being. The decision was overturned nearly a year later by the 4th District Court

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of Appeal. It ruled that Lewis had fallen for “legal hocus pocus” and had violated Lois’ rights.

But by that time, it was too late for the couple to resume their life together. With Martin Zelman falling deeper into the well of Alzheimer’s disease, he no longer recognized his wife, said attorney Jeff Fisher, who represented Lois in the litigation.

“Due to an abuse of the guardianship process, Lois lost the ability to care for and be with her husband in the last years of his life,” Fisher said Tuesday. “Martin’s passing makes that fact all the more painful for her. At this point, we simply hope that the rulings from her case prevent the same thing from happening to other couples who are at a similarly vulnerable stage of their lives.”

At stake in the case was roughly \$10 million. According to a prenuptial agreement, if Martin divorced Lois she wouldn’t get the money.

In the guardianship case, Lewis ruled that Martin was incompetent and appointed his children as his guardians. But she let him preserve the ability to file lawsuits. While a divorce suit was filed, Judge Charles Burton later threw it out, ruling that Martin lacked the capacity to understand what he was doing.

The dispute was ultimately settled out of court.

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