

Kimberly “Kim” J. Kirk

Partner

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When disputes surface and the need to hire a lawyer arises, it is easy for clients to feel overwhelmed. One of my goals is to streamline this process by providing thoughtful counsel and advice which enables clients to either negotiate a favorable result or obtain that result by having their day in court. I believe it is important to develop a strategic plan and then to work thoroughly yet efficiently while always keeping the pressure on the adverse party.

Kim Kirk concentrates her practice on complex **commercial** and **fiduciary** disputes, often representing high net worth individuals, **national nonprofits**, trustees, executors, and expectant beneficiaries. Kim regularly handles cases involving will contests, elective share claims, fiduciary liability, power-of-attorney abuse, and contested trust modifications. In addition to fiduciary and probate litigation, Kim also represents clients in complex business disputes, including matters involving valuation and control.

Kim frequently appears in North Carolina Superior Court, before the Clerk of Court, and the North Carolina Business Court. She has ample experience at the appellate level and enjoys helping clients and co-counsel navigate the appellate process when the need arises. Kim believes it is critical to have a thorough understanding of the rules applicable in each court, and knowing those rules well, Kim is able to use them to develop creative approaches for the benefit of her clients.

Practices

Fiduciary Litigation
Litigation

Bar Admissions

North Carolina

Court Admissions

U.S. Court of Appeals, Fourth Circuit
U.S. District Court for the Western,
Middle, and Eastern Districts of North
Carolina

Education

University of North Carolina School of
Law (JD, with Honors, 2012)
University of Michigan (BA, , 2006)
• Political Science

Associations

Professional

- **Fellow, The American College of Trust and Estate Counsel (ACTEC)**
- **North Carolina Bar Association**
- **Mecklenburg County Bar**
- **American Inns of Court**, Justice William Bobbitt Inn of Court
- **Women Lawyers of Charlotte**

Community

- YMCA Young Emerging Leader

Publications

- Author, *"Introducing Beville: North Carolina's Endorsement of a New Privilege Standard"* published in the Estate Planning & Fiduciary Law Section newsletter, *The Will & The Way* (April 2024)
- Author, *"North Carolina Recent Developments"* published in the Estate Planning & Fiduciary Law Section newsletter, *The Will & The Way* (July 2023 - June 2024)
- Author, *"Recent Developments"* published in the Estate Planning & Fiduciary Law Section newsletter, *The Will & The Way* (July 2021 - June 2023)
- Co-Author, *"Chapter: Tortious Interference with Inheritance"* of the North Carolina Fiduciary Litigation Manual (2018)
- Co-Author, *"Wrongful Interference With the Making of a Will"* published in the Estate Planning & Fiduciary Law Section newsletter, *The Will & The Way* (May 2017) (Vol. 36, No. 3)

Speaking Engagements

- Speaker, *"Federal and State Recent Developments"*, 45th Annual NCBA Estate Planning and Fiduciary Law Program (July 2024)
- Speaker, *"North Carolina Update,"* 46th Annual Queens University Estate Planners Day, Charlotte, NC, May 2024
- Speaker, *"North Carolina Update,"* 45th Annual Queens University Estate Planners Day, Charlotte, NC, May 2023
- Speaker, *"North Carolina Update,"* 44th Annual Duke University Estate Planning Conference, Durham, NC, October 2022
- Speaker, *"Federal and State Recent Developments,"* 43rd Annual NCBA Estate Planning & Fiduciary Law Program, Kiawah Island, SC, July 2022

- **Teach For America**, Alumni
- Sharon Presbyterian Weekday School
 - Parent Council President-Elect

Community

About Our Firm
Recognition

- Speaker, "*North Carolina Update*," 44th Queens University Estate Planners Day, Charlotte, NC, May 2022
- Speaker, "*Using Experts in Fiduciary Litigation*," North Carolina Bar Association CLE, November 2020
- Speaker, "*Tortious Interference with Inheritance*," North Carolina Bar Association, November 2018

Honors

- **Chambers USA**, Recognized Attorney (2019-2024)
- **Super Lawyers**® North Carolina – Estate & Trust Litigation (2024, 2025)
- **Super Lawyers**® North Carolina – Rising Star (2016-2018, 2020-2023)
- **The Best Lawyers in America**© – Litigation-Trusts & Estates (2024, 2025), Commercial Litigation (2024, 2025)
- **Business North Carolina “Legal Elite”** – Young Guns (2016-2019, 2021), Litigation (2021-2025)
- Intern for the Honorable James A. Wynn, Jr., U.S. Court of Appeals for the Fourth Circuit (2012)
- *North Carolina Journal of International Law and Commercial Regulation*, Articles Editor (2011-2012)
- Honors Writing Scholar, University of North Carolina School of Law (2010-2012)
- **Teach For America** (2006-2009)