IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT

IN AND FOR GADSDEN COUNTY, FLORIDA

IN RE: GUARDIANSHIP OF: CASE NO.:

**, Ward**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/ PROBATE DIVISION

**ORDER SPECIFYING TIME REQUIREMENTS**

**WHEREAS**, the Legislature of the State of Florida in 1992 revised the Florida Guardianship Law, amended the administration of guardianship causes pending within the trial courts of the State of Florida; and,

**WHEREAS**, Counsel and Guardians share a continuing duty to this Court to ensure that necessary action is taken in a timely manner, and,

**IN ORDER** to provide for the efficient progression of this cause, it is

**ORDERED**:

1. Counsel and Guardians shall adhere to the time limitations as prescribed herein in order to conform to the requirements of the Florida Guardianship Law, as amended, and the Florida Probate Rules.
2. Counsel for this guardianship shall file a motion for an extension of time and a proposed order thereon in the event that the time standards set forth below cannot be met.
3. Failure to file a motion for extension of time prior to the expiration of these time standards shall result in the issuance of an Order Requiring Compliance. Thereafter failure to timely file the required documents will cause the issuance of an Order to Show Cause. At that time, the fiduciary and Counsel will be required to appear before the Court or face sanctions.
4. The time requirements listed below shall be measured from the date of issuance of Letters or as specified:
   1. **INITIAL GUARDIANSHIP REPORT** – Each Guardian shall file with the Court an Initial Guardianship Report within 60 days after issuance of Letters. The Initial Guardianship Report for a ***guardian of the property*** must contain a Verified Inventory. The Initial Report for a ***guardian of the person*** must consist of the Initial Plan. The Initial Report shall be served on the Ward, unless the Ward is a minor under the age of 14 years or is totally incapacitated, and the Attorney for the Ward. Applicable audit fees for the Verified Inventory may be found in FS 744.365(6).
   2. **ANNUAL GUARDIANSHIP REPORT**:
      1. Each ***guardian of the person (adult or minor)*** shall file with the Court an Annual Guardianship Plan at least 60 days, but no more than 90 days, before the last day of the anniversary month the Letters of Guardianship were signed, and the Plan must cover the fiscal year, ending on the last day in such anniversary month.
      2. Each ***guardian of the property*** shall file with the Court an Annual Guardianship Accounting. The Annual Accounting must cover the preceding calendar year and must be file within 90 days after the last day of the anniversary month the Letters of Guardianship were signed. Applicable audit fees may be found in FS 744.3678(4).
5. Counsel shall advise the Guardian of the provisions of FS 744.441 and FS 744.444 which set forth the powers and duties of guardians with and without Court approval.
6. Counsel of record shall familiarize themselves with Probate Rule 5.030 which provides in part:

“An attorney of record for an interested person in a proceeding governed by these rules shall be the attorney of record in all other proceedings in the administration of the same estate or guardianship, except service of process in an independent action on a claim. . .”

“An attorney of record may withdraw or limit the attorney’s appearance with approval of the Court, after filing a motion setting forth the reason and serving a copy of the client and interested persons.”

1. The Clerk shall provide two (2) copies of this Order to counsel who shall furnish a copy to the Guardian(s) in the above-referenced case.

**DONE AND ORDERED** in Chambers in Quincy, Gadsden County, Florida this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2017.

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FRANCIS J. ALLMAN

CIRCUIT JUDGE