

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 6.310-1/2020

IN RE: PROFESSIONAL GUARDIAN REGISTRY &  
APPOINTMENT OF PROFESSIONAL GUARDIAN

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Chapter 744, Florida Statutes, authorizes court appointment of professional guardians, subject to the considerations set forth in Section 744.312, Florida Statutes. The Office of the Public and Professional Guardians in the Department of Elder Affairs provides a current list of registered professional guardians, who are also listed on the Department of Elder Affairs website. There is both a need for a fair and impartial manner of selecting professional guardians and the appointment of guardians to serve indigent wards on a pro bono basis.

**NOW THEREFORE**, pursuant to the authority conferred by Florida Rule of Judicial Administration 2.215, it is **ORDERED** as follows:

1. In order to be eligible for appointment as a professional guardian in the Fifteenth Judicial Circuit, a professional guardian must annually apply for and be appointed to the Fifteenth Judicial Circuit's Professional Guardian Registry ("Registry").
  - a. **New Professional Guardian** Applications for the fiscal year (July 1-June 30), are to be submitted to the Administrative Office of the Court from May 1-15 of each year. Applications are to be sent only by email to:

CAD-professionalguardians@pbcgov.org

Failure to timely submit an annual application will result in the professional guardian not being appointed to the Registry.

- b. To be reappointed during subsequent fiscal years (July 1-June 30), renewal applications are to be submitted to the Administrative Office of the Court from May 1-May 15 for professional guardians who were appointed to the Registry the preceding fiscal year. Applications are to be sent only by email to:

CAD-professionalguardians@pbcgov.org

Failure to timely submit a renewal application will result in the professional guardian not being reappointed to the Registry and will require a new application (not renewal) should the professional guardian seek to be reappointed during

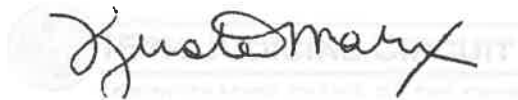
another fiscal year.

2. A professional guardian will be appointed to the Registry upon completion of all of the following:
  - a. satisfaction of the requirements for registration by the Office of Public and Professional Guardian.
  - b. completion of an application to be placed on the Registry ("Application") during the time period specified by the Administrative Office of the Court ("AOC").
  - c. signature of an agreement to be bound by the application's terms and conditions including any billing procedures.
  - d. signature of an agreement to accept a pro bono appointment as professional guardian in accordance with the terms of the application each application year.
3. Once approved by the AOC, the name of the professional guardian will be included on the Registry which will be maintained by the Clerk's Office. The Clerk will maintain separate wheels on the Registry based upon the professional guardian's specialized skills and education.
4. Should the interested parties and/or family members not agree on a professional guardian from the Registry, the Court will contact the Clerk of Court who will select the professional guardian whose name next appears on the applicable wheel. If the Court declines to appoint the professional guardian whose name was provided by the Clerk, the Court will make the necessary findings as required by Section 744.312(4)(a), Florida Statutes. The Court will inform the Clerk and obtain the name of the next professional guardian on the applicable wheel.
5. A Professional Guardian may be removed from the Professional Guardian Registry as follows:
  - a. Suspension or Revocation of Registration: When the AOC is notified by the Office of Public and Professional Guardian that a professional guardian's registration is suspended or revoked, the AOC will notify the Clerk to immediately remove the professional guardian from the Registry. The professional guardian may provide information to the AOC that the suspension or revocation is no longer in effect. The AOC, in consultation with the Chief Judge and probate judges, will determine whether the professional guardian is to be reinstated on the Registry.
  - b. Recommendation by Judicial Officer: When a judicial officer recommends to the Chief Judge or AOC to remove a professional guardian from the Registry, the Chief Judge may request a meeting with the professional guardian to discuss the circumstances or refer the matter to a committee appointed by the Chief Judge

for review and a recommendation as to whether the professional guardian should remain on the Registry. After meeting with the professional guardian, or after review of the Committee's recommendation, the Chief Judge will determine whether or not the professional guardian should remain on the Registry.

- c. Non acceptance of Pro Bono Appointment: When the professional guardian fails to accept a pro bono appointment, the Chief Judge or AOC, in consultation with the probate judges, will determine if there was good cause for the professional guardian to not accept the pro bono appointment. The professional guardian will not be required to have more than one (1) pro bono appointment by the Court at a time.
  - d. Violation of Law or Standards of Practice: When the Clerk's Inspector General provides information to the Chief Judge or AOC of a professional guardian's violation of Florida Guardianship Law, Florida Criminal Code, or a significant violation of the standards of practice by a professional guardian, the Chief Judge or AOC will consult with the probate judges to determine whether such violations require removal from the Registry. If it is found that such violations require removal, the Chief Judge or AOC will notify the Clerk to remove the professional guardian from the Registry.
  - e. **Any professional guardian, whose registration from the Office of Public and Professional Guardians is suspended, terminated, etc., or is otherwise the subject of discipline must notify Court Administration within seven (7) days of the discipline, suspension, or termination. In addition, any professional guardian who is under administrative, bar, or criminal investigation, if known, has pending criminal charges against him/her, has a pending civil lawsuit related to a guardianship matter, or has a claim made against their bond, must notify Court Administration within seven (7) days. Failure to provide such information may result in his/her immediate removal from the Registry.**
6. **Professional Guardians must also complete the eldercaring coordination training as set forth in Administrative Order 6.314.**

**DONE and SIGNED** in Chambers at West Palm Beach, Palm Beach County, Florida, this  
\_24th\_ day of January 2020.



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Krista Marx  
Chief Judge

\*supersedes admin. order 6.310-10/16