Checklist for:

Appointment of Guardian – Incapacitated Person

Hearing Date: Must be recorded

Statutory requirements: Florida Statutes § 744.309, 744.312(2)(a), 744.3125, 744.202(1), 744.334, 744.3371(1)

Reason for guardianship: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Age of ward: \_\_\_\_\_\_\_ years old Relationship of guardian to ward: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

| Guardianship of: |
| --- |
|

| File #: |  | Date: |  |
| --- | --- | --- | --- |
| Petitioner’s Attorney: |  | Ad Litem: |  |

 |

| Docket# | Item# | Date |  |
| --- | --- | --- | --- |
|  |  |  | LEGAL REQUIREMENTS: |
|  |  |  | Extent of guardianship, limited or plenary [744.334(1), 5.560(a)(4)] |
|  |  |  | Incapacity Petition filed [*see* 744.331] |
|  |  |  | Petition complete? |
|  |  |  | Petition verified [744.334(1), 5.020(e), 5.560(a)] |
|  |  |  | Name, age, residence of alleged incapacitated [744.334(1), 5.560(a)(3)] |
|  |  |  | Residence of petitioner [744.334(1), 5.560(a)(2)] |
|  |  |  | Names & addresses of next of kin [744.334(1), 5.560(a)(5)] |
|  |  |  | Name & address of proposed guardianship & guardianship willing [744.334(1), 5.560(a)(6)] |
|  |  |  | Guardian’s relationship to & previous association w/to ward [744.334(1), 5.560(a)(7)] |
|  |  |  | Nature & value of guardianship property [744.334(1), 5.560(a)(4)] |
|  |  |  | Nature of incapacity |
|  |  |  | Petitioner is Florida resident or is a relative of the ward (a spouse of someone who qualifies [744.309(1), (2)] |
|  |  |  | Petitioner is related by blood/marriage, or otherwise entitled to preference [744.312(2)(a)] |
|  |  |  | Application has been filed [744.3125, 5.590]:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|  |  |  | Oath and designation of resident agent [744.347, 5.110, 5.600] |
|  |  |  | Level 2 Criminal Background Check & Credit History Investigation [744.3135] |
|  |  |  | Venue is in county where ward resides OR non-resident w/property in the county [744.202(2)] |
|  |  |  | Notice to next of kin or natural parents or other interested persons [744.3371, 5.560(b)]; (Notice of Hearing and copy of Petition) to the following: |
|  |  |  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|  |  |  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|  |  |  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|  |  |  | Bond considerations [744.351] or 69.031 account: assets = \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|  |  |  | Notice to alleged incapacitated person & AIP’s attorney (744.3371) |
|  |  |  | Proposed orders with restrictive language: (1) Appointing Guardian (2) Letters of Guardianship.  |
|  |  |  | If no bond order and letters must state that disbursements may only be made upon court order. |

|  |
| --- |
| Comments: |
|  |
|  |
|  |