Checklist for:

Guardianship – Motion to Withdraw

**LEGAL STANDARD:** (1) Florida Probate Rule 5.030 requires that every guardian shall be represented by an attorney admitted to practice in Florida, unless the guardian is an attorney. Guardian Advocate is not required to be represented by attorney unless otherwise required by law (2) 5.030(c) requires notice to the client and interested persons (should include next of kin) (3) Fla. Probate R 5.030(c) permits court to approve withdrawal of attorney.

| Estate of: |
| --- |
| | File #: |  | Date: | |  | | --- | --- | --- | --- | --- | | Attorney: |  | |  |  | |

| Docket# | Item# | Date |  |
| --- | --- | --- | --- |
|  |  |  | Reason for withdrawal [5.030(c)] |
|  |  |  | Notice to all interested persons - this is the next of kin, not the guardian. [5.030(c)] |
|  |  |  | Notice to or consent from the guardian. [5.030(c)] |
|  |  |  | Order Designating Depository entered? [*See* 69.031] |
|  |  |  | Acceptance and Receipt of Depository filed? [*See* 69.031] |
|  |  |  | There have been no expenditures since the end of the last filed accounting and none are anticipated. |
|  |  |  | Inventory has been filed [744.365, 5.620] |
|  |  |  | All other reports (accountings, etc) are current [744.361] |
|  |  |  | Has guardian taken education course or has it been waived? [744.3145 and 744.3145(6)] |
|  |  |  | If education course was required was the certificate filed? |

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| Comments: |
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