COURT GUARDIANSHIP MONITORING PROGRAM

Twentieth Judicial Circuit, Charlotte County

Updated January 17, 2019

# court guardianship monitor

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| program overviewThe Guardianship Monitoring Program was established in Charlotte County to ensure that all court-appointed guardians adhere to the State of Florida guardianship laws by meeting filing deadlines and providing the most appropriate level of personal and/or financial care to their wards. |
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The Twentieth Judicial Circuit has employed a full-time Court Guardianship Monitor to be the “eyes and ears” of the Court in all Charlotte County guardianship cases. In addition to monitoring these cases, the Court Guardianship Monitor may also investigate allegations of abuse, neglect and/or exploitation of elderly wards or the misappropriation of a ward’s assets.

The primary objectives of this position are as follows:

* To supplement the auditing that the Clerk does as part of its statutory duties.
* To independently review Guardianship cases to make sure the best interests of the Ward are being met.
* To advise the Court on a regular basis the status of active Guardianship cases.
* To be a clearinghouse for complaints, requests, and inquiries regarding particular Guardianship cases.

*“The Guardianship Monitor serves as the eyes and ears of the Court to ensure that the needs of the Ward are being appropriately met.”*

 ~ The Honorable Paul Alessandroni ~



# guardianship hotline

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The Charlotte County Circuit Court, with funding from Charlotte County Board of County Commissioners, has established a Guardianship Monitor Program.  As part of that program, there is a hotline number where anyone can report concerns regarding any Charlotte County Guardianship case.

**\*\*\* IF IT IS AN EMERGENCY, CALLERS WILL BE INSTRUCTED TO HANG UP AND CALL 911 FIRST \*\*\***

**Guardianship Hotline**

**(941) 769-1275**

Calls to the hotline can remain anonymous and when sufficient information to proceed is provided, an investigation of the guardianship will be initiated.  If someone prefers to report directly and not use the hotline, they may go to the Administrative Office of the Courts, located at 350 East Marion Avenue, Punta Gorda, Florida 33950.

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**GUARDIANSHIP CASE REVIEWS**

It is the Court’s goal to accomplish the following:

* To have some transparency to the guardianship monitoring process
* To have evidence that the Court is taking an active role in oversight

The Court has a dedicated mechanism in place for conducting ongoing guardianship case reviews. The Court Guardianship Monitor has compiled a spreadsheet to assist in monitoring all open guardianship cases. Based on a random selection, the Court may appoint the Court Guardianship Monitor to review existing open cases. The Court may also, on its own motion, or by recommendation of the Court Guardianship Monitor, set a case for a status hearing. The purpose of these procedures is to ensure statutory compliance with the filing of the plans and accountings, as well as assuring that the needs of the Ward are continuing to be met.

Next of kin may also be notified by the Court Guardianship Monitor of her appointment to the case, and the Court may, at any proceeding, inquire about relative notification.

The Court may discharge the Court Guardianship Monitor on its own motion or upon recommendation by the Court Guardianship Monitor.

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**INVESTIGATION OF GUARDIANSHIPS**

During the pendency of monitoring all open cases, the need may arise for a more in-depth investigation of the Guardianship. An investigation could be initiated as a result of any of the following:

* Complaint by an outside party
* Clerk’s Office inquiry
* Letter or anonymous complaint
* Inquiry by the Court
* Recommendation by the Guardianship Monitor

If the Court believes that a more detailed inquiry is needed by the Court Guardianship Monitor, including the financial, medical, or residential information of the Ward, the Court will appoint the Court Guardianship Monitor. This Order will allow the Guardianship Monitor to have access to certain records and/or information not otherwise available without a court order.

The Guardianship Monitor will then conduct a more inclusive investigation and submit to the Court its results, by filing a *Guardianship Monitor Report***.** The Guardianship Monitor Report becomes part of the court file and is served on all parties. The Court will enter its Order in response to the report.

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