

**CHARLOTTE PROBATE & GUARDIANSHIP BEST PRACTICES – ELECTRONIC
SUBMISSION OF PROPOSED ORDERS**

February 5, 2018

Beginning on February 5, 2018, proposed orders can be submitted electronically via E-mail to Judge Alessandroni. A grace period of sixty (60) days will follow February 5, 2018 during which period the submission of proposed paper orders will be continue to be accepted by delivery to Judge Alessandroni.

This grace period ends on April 6, 2018, after which date all proposed orders (with very few exceptions) must be submitted electronically. This document details the procedures for electronic submission of proposed orders.

This document contains detailed instructions on submitting proposed orders electronically to the Charlotte County Probate/Guardianship judge. All documents should be submitted by E-mail using the instructions contained in this document. E-mails must be sent to one of two addresses:

cha-probate@ca.cjis20.org (probate/estate cases) or
cha-guardianship@ca.cjis20.org (guardianship cases).

ERROR CODES

If your submission has been rejected with a code:

To Find error codes beginning with “B”, [CLICK HERE](#)

To Find error codes beginning with “E”, [CLICK HERE](#)

To Find error codes beginning with “P”, [CLICK HERE](#)

To Find error codes beginning with “G”, [CLICK HERE](#)

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PROBATE & GUARDIANSHIP CHECKLISTS

The Court requires the submission of completed Probate and Guardianship Checklists when submitting most proposed orders in Probate and Guardianship cases in Charlotte County. The checklists are available at: <http://www.ca.cjis20.org/home/charlotte/charChecklist.asp>. Completed checklists are required to be submitted for all proposed orders for which there is a checklist available on the Court's website found here:

<http://www.ca.cjis20.org/home/charlotte/charChecklist.asp>

If a checklist is available for a particular proposed order it must be included as an attachment to the e-mail by which the proposed order is sent. The checklist may be hand written and scanned into either a PDF document or inserted into a Word document. If the checklist is generated electronically it may be attached to the e-mail as a PDF, Word, WordPerfect or any other

commonly used word-processing document (however, proposed orders must be in Microsoft Word format only). The checklist should be identified as a checklist in the file name. The Judicial Assistant will import the checklist attachment into the judicial viewer and the Court will review it along with the proposed order(s). The checklist(s) will be discarded after review and will not be E-Filed. Word format is not critical here because the checklist is not going to be edited and/or E-Signed.

If there is no checklist listed on the above checklist web page specified for your Petition/Motion, none is required.

BASIC/GENERAL RULES

- **B1. ALL SUPPORTING DOCUMENTS MUST BE VIEWABLE (VERY IMPORTANT):** Before sending proposed orders that will require Judge Alessandroni's review of online documents before entering the proposed order(s) check the Clerk's website to make sure that all required supporting documents are viewable online. **DO NOT SEND THE PROPOSED ORDER UNTIL THE SUPPORTING DOCUMENT(S) ARE VIEWABLE ON THE CLERK'S SITE.**
- **B2. WILL MUST BE VIEWABLE:** Before asking Judge Alessandroni to sign an order that requires that the Judge view the will, make certain that the will is viewable on the Clerk's website. This may require that your office contact the probate clerk to request that a will previously deposited in the "WD" (will deposit) file be transferred from the will deposit file to the probate file. This is the attorney's responsibility.
- **B3. ELECTRONIC SUBMISSION OF ORDERS:** A proposed order or other document that requires Judge Alessandroni's signature should be sent directly to the Judge at the appropriate email addresses:
cha-probate@ca.cjis20.org or
cha-guardianship@ca.cjis20.org **Do not route proposed orders through the Clerk.** If certain Clerk action is needed, send the document/request to the Clerk.
- **B4. ORIGINAL DOCUMENTS:** Do not send the few original documents that must by rule be filed with the Clerk to Judge Alessandroni. Instead, send them directly to the Clerk for filing (e.g., wills).
- **B5. SETTING ALL PROBATE (ESTATE) HEARINGS:** Please contact Magistrate Robert Koch's Assistant Kristy Sandrock, at 941-637-2213 or by email to ksandrock@ca.cjis20.org to request hearing time for all probate (estate) hearings. It is your responsibility to schedule sufficient time for the hearing and to properly notice the matter for hearing.
- **B6. SETTING ALL GUARDIANSHIP HEARINGS:** To set a guardianship matter for hearing please contact Judge Alessandroni's Judicial Assistant Patty by email to patriciat@ca.cjis20.org *Email is the preferred method of communication*, but her phone number is 941-505-4826. Likewise, it is your responsibility to schedule time for the hearing and to properly notice the matter for hearing.
- **B7. PRE & POST 2017 CASES:** Please remember for all cases filed prior to 2017 the case type suffix will always be CP for both estate and guardianship cases. Only 2017 guardianship cases and newer will have the GA suffix.
- **B8. CHECKLISTS REQUIRED:** The Court requires the submission of completed

Probate and Guardianship Checklists when submitting most proposed orders in Probate and Guardianship cases in Charlotte County.

THE E-FILING PROCESS AND CLERK ACCEPTANCE OF E-FILED DOCUMENTS

Remember, when you E-file a document through the E-Filing Portal, the document is not viewable to a user of the system (including attorneys, judges and judicial assistants) until several steps occur. The attorney's receipt acknowledgment by the E-Filing Portal only confirms that the Portal has received the document and that it is located on their file server. The Portal must then transfer the electronic document to the Clerk's Office which must then transfer the file to the Clerk's internal case maintenance system. Finally, then the Clerk must formally accept the document into the Clerk's case maintenance software to make the document viewable to users. The E-Filing rules give clerks three days to complete those steps. Additional days may be required if the document does not comply with the E-Filing rules. **Therefore, keep in mind that when the E-Filing Portal acknowledges receipt of your E-filed document, it is not immediately viewable on the Clerk's website.** Consequently, if you E-file a document and simultaneously E-mail a proposed order to the judge's office, the judge and judicial assistant will likely not be able to view the document that you just filed. This will prevent the judge from immediately signing your proposed order and will only waste the time of the judge and judicial assistant as they try in vain to review the pleading on which the proposed order is based. This discourages the Court from quickly reviewing proposed orders (very bad). Instead, *wait until YOU can view the recently filed document(s) on the Clerk's website* before you E-mail the proposed order to the judge's office. This way if there is a problem with the E-filing of the document, your office will learn about it sooner, and the judge and his judicial assistant will not waste time looking for documents that are not yet viewable. Following this procedure will serve to enhance the overall efficiency of the process (very good).

WHOM TO CONTACT WITH QUESTIONS:

Clerk's Office Civil Courts Manager Marie Hicks will respond to questions regarding the Clerk's E-filing processes at marie.hicks@charlotteclerk.com

Questions regarding Judge Alessandrone's procedures will be answered by Judge Alessandrone's Judicial Assistant, Patty, at patriciat@ca.cjis20.org *Again, E-mail is the much preferred method of communication.*

ELECTRONIC SUBMISSION OF PROPOSED ORDERS:

E1. Electronic Submission Proposed Orders The procedures contained herein replace the Court's Charlotte County Probate & Guardianship Best Practices Rules.

E2. Document Format All electronically submitted proposed orders **MUST** be submitted to the Court utilizing recent versions of Microsoft Word. No other formats will be accepted at this time (except for checklists noted below). "Recent versions of Word" include all versions from 2003 and later with a "docx" file type. "RTF" files are not acceptable, and if your office uses WordPerfect you can convert the WP files to Word files, but if your WP program has not been upgraded for many years, the version of Word that is produced may not be compatible with the judicial software that must process the proposed order.

E3. Form/Template Modifications All proposed orders **MUST** be stripped of the following information at the bottom/end of document:

- Any reference to the date (Please keep the language "Ordered and Adjudged.")
- Judge Signature Line and Judge's Name
- Certificate of Service

An example of how your documents must be modified is attached to these procedures. The example shows the text that should be removed from proposed orders at the end of the order in red strikethrough text. The judicial software will insert the judge's signature electronically with a date/time stamp included in the signature as well as the electronic certificate of service downloaded from the E-Filing Portal at the time the judicial software is processing the order. The Judicial Assistant will have to manually add the certificate of service for recipients who will not be served by E-Service from the Portal.

-Included below is a procedure that must be used to insure that your electronically submitted proposed orders do not generate electronic service language in fonts other than Times New Roman. We have seen a few examples of Word documents generating non-standard fonts when the electronic service list is imported and then inserted into the proposed order(s). This is due to the presence in your forms of non-standard fonts that appear when the service list is generated. This is not due to errors from the Portal or

the judicial software. Please use the procedure at the end of this document to correct any errors that may occur.

Pro Se Litigants & Unrepresented Interested Parties:

E4. Designation of E-mail Address

Counsel are encouraged to request that pro se litigants and unrepresented interested parties who must be served with the orders agree to receive their copies by E-Service via the E-Filing Portal. "The court may serve any order or judgment by E-mail to all attorneys who have not been excused from E-mail service and to all parties not represented by an attorney who have designated an E-mail address for service." Rule 2.516(h)(1), Fla.R.Jud.P. Reducing the number of mailed hard copies that must be physically served will save time and money for law firms and the court.

The procedure for serving by Portal E-Service parties not represented by an attorney is set forth in Rule 2.516(b)(1)(C), Fla.R.Jud.P. which provides "any party not represented by an attorney may serve a designation of a primary e-mail address and also may designate no more than two secondary e-mail addresses to which service must be directed in that proceeding by the means provided in subdivision (b)(1) of this rule. If a party not represented by an attorney does not designate an e-mail address for service in a proceeding, service on and by that party must be by the means provided in subdivision (b)(2) of this rule."

There does not appear to be any prohibition against an attorney contacting an unrepresented party or interested person and requesting that they sign the designation of e-mail address described above. It would be likely considered a best practice for the attorney to do so in writing, quoting the rule, and advising the person that receipt of service by e-mail is not mandatory. There are instructions for designation of a current E-mail address at <http://www.flcourts.org/core/fileparse.php/533/urlt/915.pdf>

A form for designation of E-mail address is attached to these instructions. This link provides both instructions and an approved form for use in *family law cases*, but the form has been adopted for use in probate/guardianship cases. Note that the form requires that the unrepresented party or interested person sign the document under oath before a notary. *Attorneys are authorized to advise pro se litigants that the Court requests that they agree to Portal E-Service, but that they are not required to do so.*

<http://www.flcourts.org/core/fileparse.php/533/urlt/915.pdf>

E5. No Designation E-mail Address In cases where an unrepresented party or interested person has not designated an e-mail address pursuant to the Rule, the Court will print copies of electronically signed orders and mail them. Stamped addressed envelopes must be furnished by the attorney who submitted the proposed order. In these cases, the electronic submission of the proposed order should contain a reference in the subject line of the e-mail to envelopes submitted (for example: "17456CP Estate of John Doe (envelopes submitted)"). Please include a paper copy of the E-mail with the envelopes. When the J.A. sees this reference in the subject line she will wait until the envelopes are received before she processes the submitted order and submits it to the Court for electronic signature and E-Filing. In addition, since the judicial software will not be retrieving service information from the Portal for these pro se individuals, it will be necessary for the J. A. to manually add to the proposed order the name and address of the unrepresented party or interested person to the certificate of service. To assist in this process, the attorney's office must include the name and address of those persons to be served by mail in the body of the E-mail submitting the proposed order. It is expected that the judicial assistant will be able to simply cut and paste this text into the proposed order, a relatively easy and quick operation.

E6. Preserve Existing Forms It is recommended that for the time being you preserve your forms/templates for creating form orders for hard copy submission as you have submitted them in the past. It is recommended that you create new versions of your older forms/templates that are modified as outlined above for E-Filing only. In the event that there is a computer outage at any of the several transmission nodes or networks that must be working in order for this process to work, you will retain the option to return to the previous practice of paper submission and continue functioning with limited interruption of service.

E7. Where to Send E-mails All documents should be submitted by E-mail to either cha-probate@ca.cjis20.org (estate cases) or cha-guardianship@ca.cjis20.org (guardianship cases). Each order should be sent as a separate attachment with only one E-mail per order. Submittals not sent to either of these mail boxes will not be processed. Failure to send E-mails to the correct E-mail address will result in a failure to issue the proposed order(s). It is requested that no more than one proposed order be attached per email. If there is a checklist related to the proposed order it should also be attached to the same E-mail to which the related proposed order is attached. The checklist (only) may be in any common format such as PDF, RTF, WordPerfect, or Microsoft Word.

E8. Supporting Documents Must Be Viewable To preserve the efficiency of the Court’s workflow do not submit proposed orders until the supporting documents are viewable in the Clerk’s system. In most cases this will take one to three days for the Clerk to process the supporting document and make it viewable. In some cases a longer delay will be necessary. For example, Annual Plans of Person and Annual Accountings are reviewed by the Clerk and the Clerk Auditor. Pursuant to Section 744.368, F.S., “(2) The clerk shall, within 30 days after the date of filing of the initial or annual report of the guardian of the person, complete his or her review of the report. (3) Within 90 days after the filing of the verified inventory and accountings by a guardian of the property, the clerk shall audit the verified inventory and the accountings. The clerk shall advise the court of the results of the audit.” It is the submitting attorney’s responsibility to verify that the clerk or the clerk auditor has filed a report approving the report *and the report is viewable* prior to E-mailing the proposed order which approves the report.

E9. Examples of Proposed Orders That Must Be Delayed in Submission The following proposed orders should not be E-mailed until the supporting document(s) are viewable in the Clerk’s system:

- Proposed Order Document
- Order Admitting Will The Will
- Any order approving a guardian Clerk Report or report that must be approved by the Clerk Audit clerk via a report of the clerk (initial, annual, final reports of person or property accountings, etc.)

E10. Exception: Appointment of Commissioner Continue to send these documents in hard copy to the Court via U.S. mail or delivery to Justice Center Box. They will be returned via U.S. mail in a stamped envelope provided by requesting counsel.

E11. Clerk Approval of Bond When the issuance of letters of administration or guardianship must be delayed until a bond is approved by the Clerk, the J.A. will hold the E-mail with the proposed letters in a pending queue until such time as the bond is accepted. This is another reason why each E-mail should contain only one attached proposed order.

E12. Subject Line of E-mails E-mails sent must be contain *at a minimum* the following language within subject line using the following format:

SUBJECT LINE

NOMENCLATURE

E13. Standard

Example 1 (for Guardianship cases):

17456GA Guardianship of John Doe (2017 cases and later)
16456CP Guardianship of Jane Doe (for all pre 2017 cases)

Example 2 (for Probate Cases):

17456CP Estate of John Doe

E14. Unrepresented Litigant(s) or Interested Persons

In case of unrepresented litigants or interested parties who have not designated an e-mail address for service pursuant to Rule Rule 2.516(h)(1), Fla.R.Jud.P.:

Example 3 (pro se litigant - no designated E-mail address):

17456CP Estate of John Doe (envelopes submitted)
17456GA Guardianship of Jane Doe (envelopes submitted)

E15. Cover Letters

Please do not attach a cover letter to the e-mail. Feel free to place the information normally placed in the cover letter into the body of the email containing the attached proposed order. When envelopes are submitted due to pro se parties or litigants without designated E-mail address include a hard copy of the E-mail with the envelope. In addition, include in the body of the E-mail the name and mailing addresses of pro se parties and litigants who have not designated E-mail addresses.

E16. Copy Opposing Counsel With the E-mail

As with hard copy cover letters, copy opposing counsel with the E-mail and pro se parties/interested persons who must be served and who have designated an e-mail address (or by mail if there is no designated email address).

E17. Competing Proposed Orders

If you are aware that opposing counsel will be submitting a competing proposed orders copy the other party and make reference in the body of the email to the possibility that a competing proposed order will be submitted.

E18. Depositing Wills

Be sure to notify the Clerk to scan the deposited will and make it viewable in the newly filed probate case. *It is the Petitioner's*

responsibility to insure that the will is viewable. The attorney should not submit a proposed order for administration of a will via E-mail *until the will is viewable in the probate case.*

E19. Checklists Required Completed checklists are required to be submitted for all proposed orders for which there is a checklist available on the Court's website found below:

<http://www.ca.cjis20.org/home/charlotte/charChecklist.asp>

If a checklist is available for a particular proposed order it must be included as an attachment to the E-mail to which the related proposed order is attached. The checklist may be hand written and scanned into either a PDF document or inserted into a Word document. If the checklist is generated electronically it may be attached to the E-mail as a PDF, or Microsoft Word document. Please DO NOT send RTF or WordPerfect documents. It should be identified as a checklist in the file name. The judicial assistant will import the checklist attachment into the judicial viewer and the Court will review it along with the proposed order(s). The checklist(s) will be discarded after review and will not be E-filed. Word format is not critical here because the checklist is not going to be edited and/or E-Signed. Since the supporting documents will be viewable when the proposed order and checklist are attached to the E-mail it should be possible for the checklist to contain all the necessary information provided for on the form.

APPROVED FORM- FOR DESIGNATION OF PRIMARY ADDRESS FOR SERVICE OF PAPERS

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL
CIRCUIT IN AND FOR CHARLOTTE COUNTY, FLORIDA

Case No.: _____

Division: _____

IN RE:
THE ESTATE/GUARDIANSHIP OF:

_____,
Decedent/Ward

DESIGNATION OF PRIMARY ADDRESS FOR SERVICE OF PAPERS

Instructions: A party not represented by an attorney may choose to designate e-mail address(es) for service. A primary and up to two secondary e-mail addresses can be designated. If you do so and the other party is represented by an attorney or has also designated e-mail address(es) for service, e-mail will be the exclusive means of service.

(Choose One)

1. E-Mail Designation:

I, (full legal name) _____, being sworn, certify that my current E-mail address is _____@_____.

I hereby designate my E-mail address for receipt of all future papers in this lawsuit. I understand that in the future I may change my address if I wish to be served at a physical location by filing an amended designation of primary address for service of papers form.

or

2. Physical Mail Designation:

I, (full legal name) _____, being sworn, certify that my current physical mailing address is (Street) _____, (City) _____, (State) _____, (Zip) _____ (Telephone Number) _____ (Fax) _____

I understand that I must keep the clerk's office and the opposing party or parties notified of my current address and that all future papers in this lawsuit will be served at the address(es) on record at the clerk's office.

My Signature

Date

STATE: _____

COUNTY: _____

Sworn to or affirmed and signed before me on (Date) _____ by _____

NOTARY PUBLIC OR DEPUTY CLERK

(Print, type, or stamp commissioned name of notary or clerk.)

_____ Personally known

_____ Produced Identification. Type produced: _____

Certificate of Service

I certify that a copy of this document was _____ E-Mailed _____ Mailed _____ Faxed
_____ Hand Delivered to the person(s) listed below on (date) _____.

Other party or his/her attorney:

Name: _____ Address: _____

City, State, Zip: _____ Fax Number: _____

Designated E-mail Address(es): _____

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____ Fax Number: _____

Designated E-mail Address(es): _____

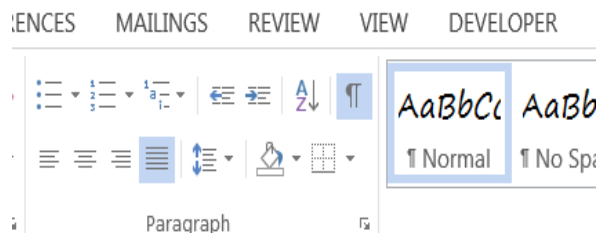
My Signature

Date

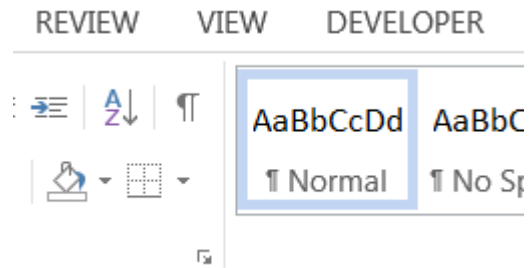
INSTRUCTIONS FOR MODIFYING MICROSOFT WORD DOCUMENTS TO REMOVE EXTRANEIOUS FONTS:

1. Open document in Microsoft Word. Up at the top of your document, you will see all your formatting choices. Look to the right, and you will see your “quick presets” of formatting choices. (Ex: Normal, No Spacing, Heading 1, etc.)

in word.wpd [Read-Only] [Compatibility Mode] - Word

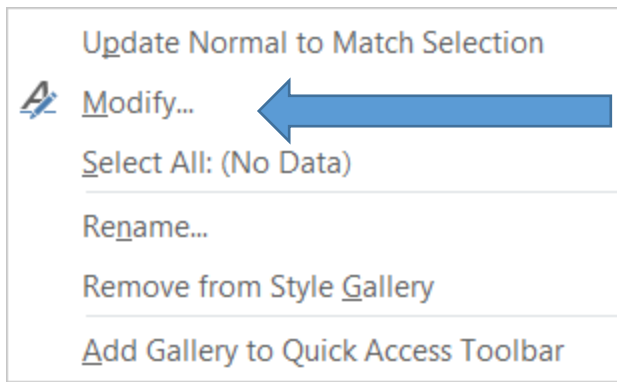


Wrong Normal



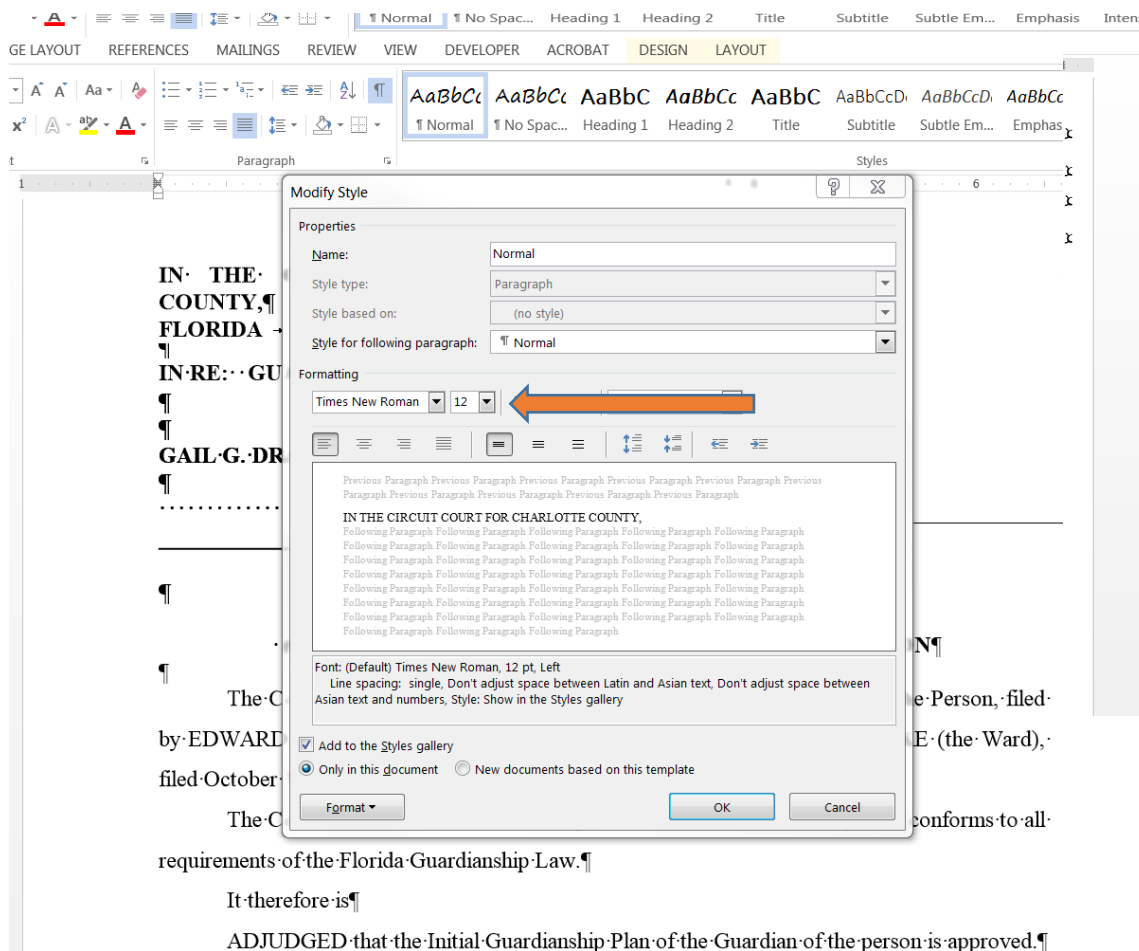
Correct Normal

2. Right Click on Normal. The Sub menu will appear. Choose “Modify”



3. Once you choose “Modify”, a screen will appear. (Proceed to Step 4.)

4. Check under the formatting section. It SHOULD have TIMES NEW ROMAN, 12 pt. If it says that, then close and continue on. If it does not say this, then click the drop down and change it to that.



5. This will update for all your FUTURE documents. However, this will not automatically change your current one. To do so, simply hold Control (CTRL) and A down together. Then click the font drop down and make sure you select “Times New Roman” . Once you’ve done

that, proceed to send document.

6. This will update for all your FUTURE documents. However, this will not automatically change your current one. To do so, simply hold Control (CTRL) and A down together. Then click the font drop down and make sure you select "Times New Roman". Once you've done that, proceed to send document.

S:\E-Filing Proposed Orders Procedures\Probate and Guardianship E-filing Procedures and Best Practices version 3.0-180122.wpd

COMMON ISSUES FOR PROBATE AND GUARDIANSHIP CASES

The following lists are taken from the templates used by the Court to notify attorneys of issues that commonly arise. These lists are not the checklists that must be E-filed by the attorneys. If your submission is deficient in some fashion, you will receive an abbreviated version of one of the following two lists.

PROBATE CASES – COMMON PROBLEMS

General Admonition: Do not submit proposed orders unless/until ALL the documents upon which the order is based are viewable in the clerk's system.

- P1 Required completed checklist not submitted (go to: <http://www.ca.cjis20.org/home/charlotte/charChecklist.asp>)
- P2 Decedent's death certificate is not filed.
- P3 Personal Representative named in will or codicil is not included in the proposed Order.
- P4 Assets are not adequately described.
- P5 Will has not been imaged and/or is not viewable in the clerk's electronic file.
- P6 No Statement Regarding Creditors filed
- P7 Failing to file Inventories with the Department of Revenue. Any inventory filed by a fiduciary in an estate proceeding with the Court, must be sent to the Department of Revenue at: Florida Department of Revenue, General Tax Administration Center, Tallahassee Central Service Center, P.O. Box 6417, Tallahassee, Florida 32314-6417
- P8 No proof of service of Notice to Creditors served on AHCA. §733.2121(d), F.S. provides: "If a decedent at the time of death was 55 years of age or older, the personal representative shall promptly serve a copy of the notice to creditors and provide a copy of the death certificate on the Agency for Health Care Administration within 3 months after the first publication of the notice to creditors, unless the agency has already filed a statement of claim in the estate proceedings." The website for the Florida Estate Recovery Program specifies the following address for notices: Florida Medicaid Estate Recovery Program, P.O. Box 12188, Tallahassee, FL 32317.
- P9 Will is not self-proved pursuant to F.S. 732.503. Procedure in F.S. 733.201(2) or (3) should be followed. The affidavits submitted do not comply with the requirements of Chapter 733.201(2), F.S.
- P10 Missing affidavit of no estate taxes due or a missing federal tax closing letter.

- P11 Missing or deficient verified petition setting forth the reasons for the sale of real property, a description of the real property sold or proposed to be sold, or the price or terms of the sale. Rule 5.370, Fla. Prob. R.
- P12 Insufficient or missing statement under oath establishing that the attesting witnesses cannot be found or that they have become incapacitated after the execution of the will or their testimony cannot be obtained within a reasonable time. §733.201(3), F.S.
- P13 Order cannot be entered without proper notice to interested parties or without scheduling the appropriate hearing.
- P14 The supporting petition/motion does not set forth sufficient allegations on which the court can grant the requested relief.
- P15 Unless a stipulation signed by all parties is filed, a hearing is required. Please contact Magistrate Robert Koch's Assistant Kristy Sandrock, at 941-637-2213 or email to ksandrock@ca.cjis20.org to request hearing time. It is your responsibility to schedule sufficient time for a hearing and to properly notice the petition/motion for hearing.
- P16 Omitting the attorney's Florida Bar Number
- P17 Omitting the date of death on Petition for Administration
- P18 Omitting consents from both parents if they are not petitioning to be appointed guardian(s) in minor guardianships
- P19 Requesting to waive the investigatory cost in cases where the ward is indigent (the investigatory cost is to be borne by the guardian)
- P20 Incorrect filing fees
- P21 Omission of attorney or personal representative's signature on pleadings
- P22 Filing the incorrect proposed orders for entry by the Court
- P23 Submitting paperwork with the incorrect case numbers
- P24 Failing to redact all but the last four digits of social security numbers on pleadings or papers to be contained in the publicly available file.
- P25 Failure to submit a copy of the relevant foreign law (if in order to probate the will the Court must find that the will is valid under the laws of the state or country where the testator was at the time of execution).

Note in contested cases all pleadings and other matters to be considered by the Court must be electronically filed with the clerk with notice to interested persons. Accordingly, any response in a contested case should be made by a properly filed pleading and not by *ex parte correspondence* to the Court.

GUARDIANSHIP CASES – COMMON PROBLEMS

General Admonition: Do not submit proposed orders unless/until ALL the documents upon which the order is based are viewable in the clerk's system.

- G1 Required completed checklist not submitted (go to: <http://www.ca.cjis20.org/home/charlotte/charChecklist.asp>)
- G2 Annual Report not viewable in clerk's system.
- G3 Annual Accounting not viewable in clerk's system.
- G4 Clerk's report on the annual report is not viewable.

- G5 Clerk's report on the annual accounting is not viewable.
- G6 Improper Venue
- G7 Do not sending original pleadings to the Judge's office (e.g. wills). All original pleadings must be E-filed through the E-Filing Portal (except for the few original documents that must by rule be delivered to the Clerk). Send only original proposed orders to the Judge's office (must be by E-mail after April 6, 2018).
- G8 Annual Guardianship Plan of the Guardian of the Person not timely filed:
- G9 Annual Guardianship Accounting not timely filed:
- G10 Initial Guardianship Report insufficient or not timely filed (RULE 5.690. INITIAL GUARDIANSHIP REPORT (a) Contents and Filing. An initial guardianship report shall be filed within 60 days after the issuance of letters of guardianship. The guardian of the property shall file the initial guardianship report consisting of the verified inventory. The guardian of the person shall file the initial guardianship report consisting of the guardianship plan.)
- G11 Inventory insufficient or not timely filed (RULE 5.620. INVENTORY (a) Inventory Within 60 days after issuance of letters, the guardian of the property shall file a verified inventory as required by law. All property not in the guardian's possession as of the date the inventory is filed shall be so identified.... (e) Guardian Advocates. This rule shall apply to a guardian advocate to the extent that the guardian advocate was granted authority over the property of the person with a developmental disability.
- G11 The Physician's Report was not submitted. "Physician" is defined as "a person who is licensed to practice medicine in this state." §458.305(4), F.S. §765.101(13), F.S. defines a physician as "a person licensed pursuant to Chapter 458 or Chapter 459. Chapter 458 addressed M.D.s and Chapter 459 addresses D.O.s.
- G12 The physician's examination was not conducted within 90 days prior to the beginning of the report period. §744.3675(1)(b)(2), F.S.: "The report of a physician who examined the ward no more than 90 days before the beginning of the applicable reporting period"
- G13 The supporting petition/motion does not set forth sufficient allegations on which the court can grant the requested relief.
- G14 Unless a stipulation signed by all parties is filed, a hearing is required. To set a guardianship matter for hearing please contact Judge Alessandrone's Judicial Assistant Patty by E-mail to patriciat@ca.cjis20.org ***Email is the preferred method of communication***, but her phone number is 941-505-4826. Likewise, it is your responsibility to schedule time for the hearing and to properly notice the matter for hearing.
- G15 A hearing on the petition/motion is required *unless written consents from all interested persons are filed*, or all interested persons are noticed by formal notice and no objections are filed within the required time. In the future, for orders submitted for entry without a hearing, please advise this in the E-mail to which your proposed order is attached (with a copy to the interested persons and opposing counsel) who the interested persons are and why you contend a hearing is *not* required.
- G16 The written consent of the client is required for consideration by the Court of a Motion to Continue, Motion to Substitute Counsel, or a Motion to Withdraw. See Florida Rule of Judicial Administration 2.060.

Note that in contested cases all pleadings and other matters to be considered by the Court must

be filed with the clerk with notice to interested persons. Accordingly, any response in a contested case should be made by a properly filed pleading and not by *ex parte correspondence* to the Court.

The Court appreciates your compliance with the above requirements.

Paul Alessandroni
Administrative Judge
February 5, 2018
Judicial Assistant's E-mail: patriciat@ca.cjis20.org