IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT

IN AND FOR COLLIER COUNTY, FLORIDA PROBATE DIVISION

IN RE: GUARDIANSHIP OF

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Case No. 21-GA-\_\_\_\_\_\_\_\_\_\_\_\_\_

# LETTERS OF GUARDIAN ADVOCACY OF THE PERSON

TO ALL WHOM IT MAY CONCERN:

WHEREAS, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_has been appointed guardian advocate of the person and property of the Person, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, a person with a developmental disability who lacks the decision-making capacity to do some, but not all, of the tasks necessary to take care of his/her person; and

WHEREAS, the Guardian Advocate has taken and filed the prescribed oath and performed all other acts prerequisite to the issuance of Letters of Guardian Advocacy of the Person;

NOW, THEREFORE, I, the undersigned Circuit Judge, declare that\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, is duly qualified under the laws of the State Of Florida, as the Guardian Advocate of the Person \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, with full power to exercise the following powers and duties on behalf of the person with a developmental disability:

* To determine his or her residence;
* To consent to medical, dental and surgical care and mental health treatment;
* To make decisions about the social environment or other social aspects regarding the person with a developmental disability’s life.
* To act as representative payee of government benefits and to seek such benefits and
* To apply for government benefits.

Without first obtaining specific authority from the Court, as stated in section 744.3725, Florida Statutes, the Guardian Advocate may not:

1. commit the person with a developmental disability to a facility, institution, or licensed service provider without formal placement proceedings, pursuant to Chapter 393, Florida Statutes;
2. consent to the participation of the person with a developmental disability in any experimental biomedical or behavior procedure, exam, study, or research;
3. consent to the performance of a sterilization or abortion procedure on the disabled person;
4. consent to termination of life support systems provided for the person with a developmental disability;
5. initiate a petition for dissolution of marriage for the ward;
6. Exercise any authority over any health care surrogate appointed by any valid advance directive executed by the disabled person, pursuant to Chapter 765, Florida Statutes, except upon further order of this Court.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ shall retain all legal rights except those which are specifically granted to the Guardian Advocate pursuant to this Court’s order.

DONE AND ORDERED in Chambers at Naples, Collier County, Florida day of \_\_\_\_\_\_\_\_\_\_\_ 2021\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Honorable \_\_\_\_\_\_

Circuit Court Judge

cc: Via Clerk’s E-Service;

Lawrence S. Pivacek, Esq.