

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO COUNTY, FLORIDA**

**CASE MAINTENANCE REFERENCE GUIDE
FOR NEW INCAPACITY AND NEW GUARDIANSHIPS**

PETITION TO DETERMINE INCAPACITY F.S. 744.3201 AND PROBATE RULE 5.550

- Petition includes a Verified Statement.
- Name/Age/Present address of petitioner(s)/Relationship to alleged incapacitated person.
- Name/Age/County of residence/Present address of the alleged incapacitated person. Primary language spoken by the alleged incapacitated person.
- Allegations of incapacity
- Facts on which incapacity is based.
- Names and addresses of all persons known to the petitioner who have knowledge of such facts through personal observation.
- Name and address of the alleged incapacitated person's attending or family physician.
- Rights the incapacitated person is incapable of exercising to the best of the petitioner's knowledge; and if the petitioner has insufficient experience to make that judgement, the petitioner shall so indicate.
- Plenary or Limited guardianship sought.
- Names/Relationships/Addresses of the next of kin specifying dates of birth of any whom are minors.
- Signature of petitioner(s).
- Signature of attorney.
- Attorney's address, telephone number including area code and Florida Bar number, **Judicial Rule 2.060(d)**.

PETITION FOR APPOINTMENT OF GUARDIAN OR PROFESSIONAL GUARDIAN F.S. 744.334 AND PETITION FOR APPOINTMENT OF GUARDIAN OF AN INCAPACITATED PERSON PROBATE RULE 5.560

- Petition includes a Verified Statement.
- Facts to establish venue.
- Residence and post office address of petitioner(s).
- Name/Age/Residence and post office address of alleged incapacitated person.
- Nature of incapacity/Extent of guardianship-Plenary or Limited.
- Type and value of assets subject to guardianship.
- Names and addresses of the next of kin.
- Name/Residence and post office address of the proposed guardian.
- Relationship of proposed guardian to alleged incapacitated person.
- Reasons why proposed guardian should be appointed.
- Statement that proposed guardian is a professional, if applicable.
- Signature of petitioner(s).
- Signature of attorney.
- Attorney's address, telephone number including area code and Florida Bar number, **Judicial Rule 2.060(d)**
- Application for Appointment of Guardian(s).
- Oath of Guardian Designation of Resident Agent and Acceptance.
- Professional Guardian - Blanket Bond/Credit History/Criminal Investigation/Education Requirements.

PETITION FOR APPOINTMENT OF GUARDIAN OR PROFESSIONAL GUARDIAN F.S. 744.334 AND GUARDIANSHIP OF MINORS PROBATE RULE 5.555

- Petition includes a Verified Statement.

- Facts to establish venue.
- Residence and post office address of petitioner(s).
- Name/Age/Social Security Number/Residence and post office address of minor.
- Type and value of assets subject to guardianship.
- Names/Addresses of the parents of the minor and if none, the next of kin.
- Name/ Residence and post office address of the proposed guardian.
- Relationship of proposed guardian to minor.
- Reasons why proposed guardian should be appointed.
- Statement that proposed guardian is a professional, if applicable
- Signature of petitioner(s).
- Signature of attorney.
- Attorney's address, telephone number including area code and Florida Bar number, **Judicial Rule 2.060(d)**.
- Application for Appointment of Guardian(s)
- Oath of Guardian Designation of Resident Agent and Acceptance.
- Professional Guardian - Blanket Bond/Credit History/Criminal Investigation/Education Requirements.
- Consents or Formal Notice and Proof of service of formal notice, if applicable.
- A Petition and Proposed Order Designating Depository Account.
- VOLUNTARY GUARDIANSHIP F. S. 744.341**
- Physician's statement.
- Statement that proposed guardian is a professional, if applicable.
- Signature of petitioner/ward.

- Signature of attorney.
- Attorney's address, telephone number including area code and Florida Bar number, **Judicial Rule 2.060(d)**.
- Application for Appointment of Guardian(s).
- Oath of Guardian Designation of Resident Agent and Acceptance.
- Professional Guardian - Blanket Bond/Credit History/Criminal Investigation/Education Requirements.

FOREIGN GUARDIAN MAY MANAGE THE PROPERTY OF NONRESIDENT WARD F.S. 744.307

- Authenticated copies of letters or other authority and bond or other security.
- Facts to establish venue.
- Description of property/Estimated value/Indebtedness.
- Designation of resident agent.
- Signature of petitioner(s). Signature of attorney.
- Attorney's address, telephone number including area code and Florida Bar number, **Judicial Rule 2.060(d)**.

APPLICATION F.S. 744.3125 AND PROBATE RULE 5.590

- Individual Applicants
- Qualifications to serve.
- Name/Court File Number/Circuit Court/Type of guardianship of all wards.
- Signature of applicant.

Nonprofit Corporate Guardians

- Quarterly Disclosure Statement with qualifications to serve.
- Name/Court File Number/Circuit Court/Type of guardianship of all wards.

**OATH OF GUARDIAN DESIGNATION OF RESIDENT AGENT ACCEPTANCE F.S. 744.347
AND PROBATE RULE 5.600 AND RESIDENT AGENT PROBATE RULE 5.110**

- Guardian's residence and post office address.
- Name/Residence and post office address of resident agent. Oath is notarized.
- Seal is affixed.
- Expiration date of commission is valid.
- Signature of guardian.
- Signature of notary.
- Signature of resident agent.
- Resident agent resides in the county where proceedings are pending, or is a member of the Florida Bar residing in the State of Florida.
- The Guardian is not the same person as the resident agent.

BOND F.S. 744.351

- Signature of Guardian and date.
- Signature of Attorney-In-Fact and date.
- Seal is affixed.
- Correct amount of bond is reflected.
- Bond amount is in conformity with the limitations of the Power of Attorney.
- Attorney-In-Fact is a resident of Florida.
- The bond binds the Principal and Surety to the Governor of the State of Florida, jointly and severally.
- Court Requirement: The name, address and phone number of the local insurance agent is on the face of the bond.
- Other:**