

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
OF FLORIDA IN AND FOR
BREVARD COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO.:
17-46-B
SUPERSEDES 07-36-B

IN RE: PROBATE AND GUARDIANSHIP – FINGERPRINTING OF GUARDIANS

In accordance with the authority vested in the Chief Judge by Rule 2.215, Florida Rules of Judicial Administration, and section 744.3135, Florida Statutes, which provides, in part, that the Court shall require all guardians to submit, at their own expense, to an investigation of his or her criminal background, it is hereby:

ORDERED that:

1. All non-professional proposed guardians shall submit fingerprints electronically at the time of initial application to be appointed guardian. All other documents required by the court to complete a credit and criminal background investigation shall be submitted directly to the Clerk of Court.
2. Professional guardians, including employees of professional guardians, shall submit fingerprints electronically and must be electronically reprinted every five (5) years. All other documents required by the Court to complete the annual credit and criminal investigation must be submitted no later than January 15th every year.
3. Any individual who is fingerprinted and whose prints are not discernible or rejected due to image quality, as informed by the Clerk of Court, may have his or her fingerprints waived after two (2) attempts.
4. If the proposed guardian, guardian, or employee of a professional guardian with a fiduciary obligation to a ward, is advised that his or her fingerprints are not discernible or rejected due to image quality, then the attorney for the proposed guardian, guardian, or professional guardian shall file a motion with the Court seeking waiver of the fingerprint requirement. The Court will review the request and enter an order either granting or denying the waiver of fingerprinting of the proposed guardian, guardian, or employee of a professional guardian with a fiduciary obligation to a ward. The order granting the waiver will be for all future fingerprinting requirements for the individual.

5. If a proposed guardian, guardian, or employee of a professional guardian with a fiduciary obligation to a ward has an order entered waiving fingerprints because his or her fingerprints are not discernible or rejected due to image quality, an alternative background investigation, both state and federal is required.

DONE and ORDERED this 4th day of December, 2017.

JOHN M. HARRIS
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CHIEF JUDGE

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