

THE EIGHTH JUDICIAL CIRCUIT OF FLORIDA
ADMINISTRATIVE ORDER NO. 7.08

**GUARDIANSHIP EDUCATION REQUIREMENTS FOR NON-PROFESSIONAL
GUARDIANS**

In order to provide for the requirements of the Eighth Judicial Circuit with regard to guardianship education courses; and

WHEREAS, pursuant to section 744.3145(2), Florida Statutes, a person appointed “to be a guardian, other than a parent who is the guardian of the property of a minor child, must receive a minimum of 8 hours of instruction and training”; and

WHEREAS, pursuant to section 744.3145(3), Florida Statutes, a person appointed “the guardian of the property of his or her minor child must receive a minimum of 4 hours of instruction and training”; and

WHEREAS, section 744.3145(4), Florida Statutes, requires guardians “to complete the required number of hours of instruction and education within 4 months after his or her appointment as guardian”; and

WHEREAS, section 744.3145(4), Florida Statutes, requires the instruction and education must be completed through a course approved by the chief judge of the circuit court and taught by a court-approved organization or through a course offered by the Office of Public and Professional Guardians under s. 744.2001”; and

WHEREAS, the Court has, with the assistance of Tacachale officials, developed an educational curriculum and course tailored to fit the needs of guardians or guardian advocates whose wards are residents of Tacachale or are similarly situated with developmental disabilities, and the Tacachale staff, under the direction of the Superintendent of Tacachale, has agreed to arrange for, offer and supervise the teaching of that course; and

WHEREAS, the Court has discretion to waive guardian education in certain instances, pursuant to Florida Statutes § 744.3145(6);

IT IS ORDERED:

AUTHORIZATION OF COURSE BY CHIEF JUDGE

1. Guardianship education course requirements may be met by attending an approved course in-person or online if available.

2. A list of court-approved 8-hour and 4-hour guardianship education courses are available on the Florida State Guardianship Association’s website at <https://www.floridaguardians.com>.*

3. After completing an approved guardianship education course, the guardian shall execute an affidavit of completion for the applicable course. The affidavit of completion must be signed under oath and filed in the court as required by Florida Probate Rule 5.625. Sample affidavits of completion for the 8-hour guardianship course and the 4-hour guardianship course are attached.

4. Expenses incurred by the guardian to satisfy the education requirement may be paid from the ward's estate, unless the court directs that such expenses be paid by the guardian individually. § 744.3145(5), Fla. Stat.

TRAINING FOR GUARDIANS AND GUARDIAN ADVOCATES OF TACACHALE RESIDENTS

5. The training course and videotape developed by the Tacachale staff is hereby approved for use in the Eighth Judicial Circuit in Tacachale's guardian education program.

* Note: The Court is not promoting any of the companies or organizations offering the listed guardianship education courses. The courses are compiled by the Florida State Guardianship Association and are approved only to meet the instruction and training requirements of s. 744.3145, Florida Statutes, for the Eighth Judicial Circuit.

6. The staff of Tacachale, under the supervision of its Superintendent, as employees of the Department of Health and Rehabilitative Services of the State of Florida, is hereby approved as an organization to coordinate, teach, supervise, and administer this education course.

7. This education course and all matters pertaining thereto shall continue to be under the authority of the Administrative Judge of the Eighth Judicial Circuit's Probate Division.

8. All guardians and guardian advocates of Tacachale residents or similarly situated developmentally disabled persons shall complete the education course offered by Tacachale unless otherwise ordered by the Court.

ATTORNEYS

9. Guardians, who are attorneys, may comply with the requirements of guardian education by certifying under penalties of perjury that they have read the materials provided for in an approved guardian education course.

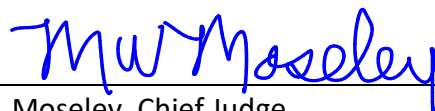
10. Upon the certification being filed, the attorney shall supply the Court with an order waiving guardian education.

PROFESSIONAL GUARDIANS

11. The provisions of this Order do not apply to professional guardians.

This Order replaces Administrative Order No. 7.08 (v3) entitled "Approval of Guardian Education Courses Pursuant to the Florida Guardianship Law §744.3145, Florida Statutes" entered January 30, 2015.

ORDERED on this 29th day of September 2023.



Mark W. Moseley, Chief Judge

ATTACHMENT A

**AFFIDAVIT OF COMPLETION
(8-HOUR GUARDIANSHIP EDUCATION COURSE)**

CASE NUMBER: _____

WARD'S NAME: _____

STATE OF: FLORIDA

COUNTY OF: _____

I HEREBY CERTIFY THAT ON THIS DAY BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, AUTHORIZED IN THE STATE AND COUNTY NAMED ABOVE TO ADMINISTER OATHS, PERSONALLY APPEARED _____ WHO, AFTER BEING BY ME FIRST DULY SWORN, SAYS UPON OATH:

I AM A GUARDIAN OTHER THAN A PARENT WHO IS THE GUARDIAN OF THE PROPERTY OF A MINOR CHILD. I HAVE COMPLETED AN APPROVED GUARDIANSHIP EDUCATION COURSE AND RECEIVED A MINIMUM OF **8 HOURS** OF INSTRUCTION AND TRAINING WHICH COVERS:

1. THE LEGAL DUTIES AND RESPONSIBILITIES OF THE GUARDIAN;
2. THE RIGHTS OF THE WARD;
3. THE AVAILABILITY OF LOCAL RESOURCES TO AID THE WARD; AND
4. THE PREPARATION OF HABILITATION PLANS AND ANNUAL GUARDIANSHIP REPORTS, INCLUDING FINANCIAL ACCOUNTING FOR THE WARD'S PROPERTY.

SIGNATURE OF GUARDIAN

PRINTED NAME OF GUARDIAN

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME THIS ____ DAY OF _____, 20____, BY _____ WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED AS IDENTIFICATION _____.

SIGNATURE OF NOTARY PUBLIC

ATTACHMENT B

**AFFIDAVIT OF COMPLETION
(4-HOUR GUARDIANSHIP EDUCATION COURSE)**

CASE NUMBER: _____

WARD'S NAME: _____

STATE OF: FLORIDA

COUNTY OF: _____

I HEREBY CERTIFY THAT ON THIS DAY BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, AUTHORIZED IN THE STATE AND COUNTY NAMED ABOVE TO ADMINISTER OATHS, PERSONALLY APPEARED _____ WHO, AFTER BEING BY ME FIRST DULY SWORN, SAYS UPON OATH:

I AM A PARENT WHO IS THE GUARDIAN OF THE PROPERTY OF MY MINOR CHILD. I HAVE COMPLETED AN APPROVED GUARDIANSHIP EDUCATION COURSE AND RECEIVED A MINIMUM OF **4 HOURS** OF INSTRUCTION AND TRAINING WHICH COVERS:

1. THE LEGAL DUTIES AND RESPONSIBILITIES OF THE GUARDIAN OF THE PROPERTY;
2. THE PREPARATION OF THE INITIAL INVENTORY AND ANNUAL GUARDIANSHIP ACCOUNTINGS FOR THE WARD'S PROPERTY; AND
3. USE OF GUARDISNSHIP ASSETS.

SIGNATURE OF GUARDIAN

PRINTED NAME OF GUARDIAN

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME THIS ____ DAY OF _____, 20____, BY _____ WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED AS IDENTIFICATION _____.

SIGNATURE OF NOTARY PUBLIC