

IN THE CIRCUIT COURT OF THE SEVENTEENTH
JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

Order Number 2012-50-PRC

**ADMINISTRATIVE ORDER REQUIRING
FINGERPRINTING OF GUARDIANS
FOR CRIMINAL INVESTIGATIONS**

- (a) Florida Rule of Judicial Administration 2.215(b)(3) states the chief judge shall “considering available resources, ensure the efficient and proper administration of all courts within [this] circuit.”
- (b) §744.3135, Fla. Stat., authorizes criminal investigations which includes fingerprints.
- (c) The Federal Bureau of Investigation will no longer process hard copy applicant fingerprint cards after April 15, 2012 and, as a result, the Florida Department of Law Enforcement will no longer accept such cards after April 1, 2012.
- (d) In accordance with the authority vested in the chief judge by Florida Rule of Judicial Administration 2.215, it is ordered, effective April 2, 2012:

(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.

(6) This Administrative Order vacates and supersedes Administrative Order 2009-115-PRC.

DONE AND ORDERED in chambers at Fort Lauderdale, Broward County, Florida on
July 9, 2012.

s/Peter M. Weinstein
Peter Weinstein, Chief Judge