

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

ADMINISTRATIVE ORDER NO.: IV-06-A-32

IN RE:

EXAMINING COMMITTEE
MEMBER FEES

To ensure that examining committee members receive payment as ordered pursuant to §744.331, Fla. Stat., and that the Circuit has sufficient individuals to serve as an examining committee member, therefore, in accordance with the authority vested in the Chief Judge by Florida Rule of Judicial Administration 2.050 it is hereby:

ORDERED that:

1. If the guardian fails to pay, or make other arrangements for payment of, the examining committee member fee as ordered by the court, the examining committee member shall file a motion for contempt and to compel payment of the fee with the court. The examining committee member shall send the original motion to the Clerk of Court, Probate Division, using the case number as set forth in the order to pay with a copy to guardian's attorney, the guardian, and General Magistrate.
2. Such motion for contempt and to compel payment is hereby referred to the General Magistrates of the Probate Division pursuant to the provisions of Florida Rule of Civil Procedure 1.490. The General Magistrate upon receipt of the motion for contempt and to compel payment shall set same for hearing and provide notice to the examining committee member and guardian's attorney. Any interested person may object to the General Magistrate hearing the matter by serving and filing an objection to the General Magistrate hearing the matter. The notice of hearing as served by the General Magistrate shall contain notice that an interested person can object to the General Magistrate hearing the matter.
3. The examining committee member shall be allowed to attend the hearing telephonically. The guardian's attorney and guardian shall be in personal attendance at the hearing. The guardian's attorney and guardian shall not be entitled to fees or costs associated with preparing for and attending the hearing on the motion for contempt and to compel payment.
4. If the examining committee member is paid by the guardian, or arrangements are made for payment, after the General Magistrate notices the matter for hearing, the examining committee member shall notify the General Magistrate and guardian's attorney and the hearing shall be cancelled.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida on this the 23rd day of May 2006.

/s/DALE ROSS
DALE ROSS, Chief Judge