

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

Administrative Order No. 2017-51-PRC

**ADMINISTRATIVE ORDER REGARDING THE ADMINISTRATIVE
CLOSING OF GUARDIANSHIP UPON WARD REACHING 18 YEARS OF
AGE**

(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) In order to provide for the most effective and efficient review administration of minor guardianships by both the Court and the Clerk of the Courts, when a ward has reached the age of eighteen (18) the minor guardianship case should not remain open. A failure to close such guardianships results in the Clerk of the Courts submitting data to the Court indicating a delinquent filing. The Court then must review the court records, issue a Notice to Show Cause and schedule a hearing, all of which are time consuming, burdensome and unnecessary activities. For these reasons and in accordance with the authority vested in the Chief Judge by Florida Rule of Judicial Administration 2.215, it is hereby **ORDERED** as follows:

(1) Prior to March 1 of each year, the Clerk of the Courts shall determine which minor wards have reached the age of eighteen (18) during the preceding year and no action has been taken to close the file.

(2) No distribution shall be paid from the Court ordered depository account without further order of the Court.

(3) After identifying the cases for minor wards who have reached the age of (18) but remain pending, the Clerk of the Courts shall immediately produce a *sua sponte* order, in the form set out in Exhibit “A” attached hereto, administratively closing the file without discharging the guardian and present it to the assigned judge for signature. The Clerk of the Courts shall send a copy of the signed order to the attorney of record, guardian, and the ward via U.S. Mail or as otherwise authorized by Florida Rule of Judicial Administration 2.516.

(4) This Administrative Order vacates Administrative Order IV-97-A-15.

DONE AND ORDERED in Chambers, Fort Lauderdale, Broward County, Florida, this 30th day of August, 2017.

/s/ Jack Tuter
Jack Tuter, Chief Judge

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

IN RE: GUARDIANSHIP OF:

JUDGE:

CASE NO.: PRC XX-XXXXX

_____ /

This is before the Court *sua sponte* for the closing of the above-styled case. Upon review of the court records, it is noted the ward reached the age of majority and no action has been taken to close the guardianship.

Accordingly, it is hereby **ORDERED**:

1. This file shall be designated as closed by the Clerk of the Courts subject to reopening for further administration upon appropriate request and payment of all unpaid or legislatively mandated court fees or costs.
2. There shall be no withdrawal of funds from the depository account, except for bank fees, without further order of the Court.
3. The attorney for the guardian and guardian must appear before the undersigned on _____, 20__ at _____ a.m./p.m. to account for the failure to timely seek distribution of the guardianship assets to the ward and discharge of the guardian. The hearing will be held in Courtroom _____ of the Broward County Courthouse, 201 S.E. 6th Street, Fort Lauderdale, Florida 33301.

DONE AND ORDERED in Chambers, Fort Lauderdale, Florida, this ____ day of _____ 20__.

CIRCUIT COURT JUDGE

Copies to:
Attorney of Record
Guardian
Depositor

“EXHIBIT A”