

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

*Administrative Order No. 2017-43-PRC*

**ADMINISTRATIVE ORDER REGARDING  
DELINQUENT AND NON-COMPLIANT GUARDIANSHIP  
REPORTS/DELINQUENT EDUCATIONAL CERTIFICATES/UNPAID  
AUDIT FEES**

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(a) Florida Rule of Judicial Administration 2.215(b)(3) states the chief judge shall “develop an administrative plan” and “shall, considering available resources, ensure the efficient and proper administration of all courts within [this] circuit.”

(b) The preparation of report and recommendations by the General Magistrates when an Order to Show Cause is issued for failure to file timely as provided by applicable Florida Statutes (Chapter 744) and Florida rules of court, is an inefficient use of judicial resources as many of the guardianship reports and educational certificates are filed before the hearing date and time. The time used by the General Magistrates to prepare the report and recommendations are better utilized for other matters referred for hearing.

(c) In accordance with the authority vested in the chief judge by Florida Rule of Judicial Administration 2.215, it is hereby **ORDERED**:

(1) If the delinquent report, delinquent educational certificate or amended report is filed with the Efiling Authority Portal prior to the commencement of the hearing on the Order to Show Cause, and “Odyssey” reflects that the filing of said document has been accepted and not rejected by the Clerk of the Courts:

a) The guardian attorney and guardian/guardian advocate do not need to appear at the date and time stated in the Order to Show Cause;

b) The Order to Show Cause shall be automatically dismissed without the necessity for a Report and Recommendation by the General Magistrate or an Order Approving the Report and Recommendation.

(2) If the delinquent report, or amended report, as filed, is audited and is found to be “non-compliant” by the Clerk of the Courts, a subsequent Order to Show Cause

may be issued requiring the mandatory appearance of the guardian attorney and guardian/guardian advocate.

(3) If the Court determines that the above referenced self-executing provision in paragraph (1) of this Order appears to be intentionally misused by the guardian/guardian advocate and/or the guardian attorney, the Court may enter an Order to Show Cause requiring a mandatory appearance of the guardian attorney and guardian/guardian advocate that shall not be automatically dismissed by way of the same self-executing provision in paragraph (1) of this Order.

(4) The failure to pay the required audit fee(s) will also result in the Court entering an Order to Show Cause requiring a mandatory appearance of the guardian attorney and guardian/guardian advocate.

**DONE AND ORDERED** in Chambers at Fort Lauderdale, Broward County, Florida on this 14th day of August, 2017.

/s/ Jack Tuter  
Jack Tuter, Chief Judge