

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

*Administrative Order 2019-26-PRC*

**ADMINISTRATIVE ORDER GOVERNING APPOINTMENTS OF  
COURT MONITORS IN GUARDIANSHIP PROCEEDINGS**

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(a) Pursuant to Article V, section 2(d) of the Florida Constitution, and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice.

(b) 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.”

(c) Pursuant to sections 744.107 and 744.1075, Florida Statutes, the court, upon inquiry from any interested person or on its own motion, may appoint a monitor to investigate, seek information, examine documents, or interview the ward, and shall report his or her findings to the court.

(d) There is both a need for a fair and impartial manner of selecting and appointing individuals to serve as court monitors in guardianship proceedings pursuant to sections 744.107 and 744.1075, Florida Statutes.

(e) In accordance with the authority vested in the chief judge by Article V, section 2(d) of the Florida Constitution, section 43.26, Florida Statutes, and Florida Rule of Judicial Administration 2.215, it is hereby **ORDERED**:

(1) The Office of the Trial Court Administrator will create and maintain a registry for use in appointing qualified and approved individuals to serve as court monitors. The court monitor registry shall include, to the extent possible, the contact information for each individual approved to serve as a court monitor, including his or her name, business address, if applicable, email address, and telephone and fax number(s).

(2) Qualified individuals may be added to the Circuit's court monitor registry by completing and submitting a Special Court Monitor Application to the following address:

Broward County Courthouse  
Office of the General Counsel  
201 S.E. 6th Street, Suite 20170  
Fort Lauderdale, Florida 33301

The application may be found on the Circuit's web page and a copy is attached to this Administrative Order as Attachment "A". The completed application shall be accompanied by a resume or curriculum vitae, and proof of qualifications, including copies of any licensure or certification(s) the applicant may hold.

(3) All applicants will be required to undergo an interview and, if selected for addition to the registry, must agree to undergo and successfully complete a background investigation and credit check.

(4) Successful applicants will be required to execute a memorandum of understanding with the Circuit. In the event any revision or extension of the memorandum of understanding is required, in order to maintain eligibility on the court monitor Registry, such revisions or extension must be promptly executed.

(5) Only those individuals listed on the court monitor registry shall be appointed by the Court as court monitors, and individuals shall be appointed in strict rotation, unless the presiding judge makes a finding of good cause on the record for appointing a court monitor not in strict rotation.

(6) An individual approved to be appointed by the court as a court monitor may be removed at any time from the Circuit's court monitor registry if he or she:

- a. Resigns, in which case the court monitor shall immediately notify the Chief Judge or the Chief Judge's designee and the Office of the Trial Court Administrator.
- b. Fails to comply with sections 744.107 or 744.1075, Florida Statutes, or applicable rules of court or court order.
- c. Fails to comply with any requirement of the Circuit.

d. Fails to comply with any provision of this Administrative Order.

(7) If any license or certification a court monitor holds is suspended or revoked, the court monitor must promptly notify the Chief Judge or the Chief Judge's designee to determine whether the suspension or revocation of such license or certification precludes the court monitor from receiving further appointments.

(8) A court monitor may be removed from the registry upon recommendation to the Chief Judge or Chief Judge's designee by a judicial officer. When a judicial officer recommends to the Chief Judge or the Chief Judge's designee to remove a court monitor from the Registry, the Chief Judge or the Chief Judge's designee may request a meeting with the court monitor to discuss the circumstances. After meeting with the court monitor, or after review of any recommendation made by the Chief Judge's designee, the Chief Judge will determine whether the court monitor should remain on the registry.

(9) A court monitor must immediately notify the Chief Judge or Chief Judge's designee and the Office of the Trial Court Administrator if/when the court monitor's health compromises his or her ability to perform the duties of court monitor. Additionally, when any of the below listed events occur, the court monitor must immediately report the event to the Chief Judge or Chief Judge's designee and the Office of the Trial Court Administrator. When the court monitor is:

- a. Named as a respondent in any injunction involving personal protection, including dating violence, domestic violence, repeat violence and sexual violence, and stalking, in any jurisdiction.
- b. Named as a parent or guardian of a child in a dependency action, in any jurisdiction.
- c. Named as a party to any legal proceeding within the Seventeenth Judicial Circuit.
- d. Arrested, convicted, held in contempt by a court of legal jurisdiction, had adjudication withheld, enters a plea of "no contest," or enters a plea agreement for any offense other than a civil traffic infraction, in any jurisdiction.
- e. Named as a respondent in any grievance or formal complaint filed by the licensing authority for any license held by the court monitor.
- f. Involved in any conduct that might reasonably be construed to disqualify a person from selection for service as a court monitor under the standards and qualifications specified in this Administrative Order or any agreement between the court monitor and the Circuit.

(10) Individuals listed on the Circuit's court monitor registry must not accept any case where an actual or perceived conflict of interest exists.

**DONE AND ORDERED**, in Chambers, Fort Lauderdale, Broward County, Florida, this 28th day of March, 2019.

/s/Jack Tuter  
Jack Tuter, Chief Judge



# SEVENTEENTH JUDICIAL CIRCUIT OF FLORIDA

## SPECIAL COURT MONITOR APPLICATION FORM

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone #: \_\_\_\_\_ Mobile #: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Occupation: \_\_\_\_\_

Name of Current Employer: \_\_\_\_\_

State of Florida License or Board Certification #: \_\_\_\_\_

Are you in good standing with your licensing board? \_\_\_\_\_

Languages spoken: \_\_\_\_\_

Check off areas of expertise:

Accounting

Developmental Disabilities

Geriatrics

Investigations

Legal

Mental Illness

Other, please list (attach additional sheets, if necessary):

\_\_\_\_\_  
\_\_\_\_\_

Attachment "A"

Describe your familiarity with Chapter 744, Florida Statutes.

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Please attach a copy of:

- (1) Your most recent license and certificate if applicable.
- (2) Your curriculum vitae or resume

**Applicant's Statement:** I hereby affirm, under penalties of perjury, that I have read the foregoing and the facts alleged are true, to the best of my knowledge and belief. I hereby authorize inquiries to be made concerning my eligibility to serve as a Special Court Monitor, which will include an employment screening pursuant to Chapter 435, Florida Statutes, and credit check, and may include verification of prior employment and performance for previous employers. I understand that the information required in this application will be used solely for the purpose of determining suitability as a Special Court Monitor. I also certify that I am or will become familiar with Chapter 744, Florida Statutes and will abide by its requirements. I release the Seventeenth Judicial Circuit, its officers, agents, and employees, from any liability whatsoever in connection with the background verification or use of the results in determining if a contract will be executed by the Seventeenth Judicial Circuit with the undersigned.

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Applicant's Signature

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Printed Name

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Date