

"How to Become a Guardian" Checklist

Spend some time reviewing Florida Statute "Title XLIII, Chapter 744, Guardianship," which can be found online at Online Sunshine, <<http://www.leg.state.fl.us/Statutes/>> or a law library in your county. The requirements are enumerated for both the professional and family guardian in that Statute. Care should be given to on-line information that it represents the most recent changes in the law as reflected in the Advance Sheets found in the back of the law volume containing Chapter 744.

For the individual seeking to become a professional guardian, the following is suggested with respect to Chapter 744:

1. Complete a 40 hour Guardianship course approved by the Statewide Public Guardianship Office;
2. Check with the Clerk of Circuit Court in your county for local Administrative Orders that may apply only to your area concerning professional guardians. In addition F.S. 744.102(15) defines a professional guardian. A summary of F.S. 744.1085 indicates the following:
 - A. **Post a blanket fiduciary bond** with the clerk of the circuit court in the county in which the guardian's primary place of business is located.
 - B. **File proof of the fiduciary bond** in the amount of not less than \$50,000.00 to the clerks of each additional circuit court in which s/he is serving as a professional guardian. (The proof form is provided to you by the bonding company for each county when you indicate what counties you are to practice in.)
 - C. Each professional guardian must receive 16 hours of continuing education every two calendar years after the year in which the initial 40-hour educational requirement is met. The continuing education course offered must be approved by the Statewide Public Guardianship Office. (Please check with their office BEFORE taking a course.) It is up to the individual to keep an accurate record of all courses taken as continuing education to document this requirement upon audit by the Clerk's office or at the request of a judge.
3. Chapter 744.3135 requires a professional guardian to submit to an investigation of his or her credit history and an investigatory check by the National Crime Information Center and the Florida Crime Information Center systems by means of fingerprint checks by the Department of Law Enforcement and the Federal Bureau of Investigation. The procedure is spelled out in this section of Chapter 744, but local Administrative Orders may affect the process as well as the fee charged.
4. The prospective guardian should be knowledgeable in as many local senior resources as possible. Care facilities, Medicare, long-term and secondary insurance benefits, home health services, Medicaid benefits, VA benefits, and senior service networks are just the beginning of the vast amount of knowledge required. Classes, conferences, literature and networking with other members of the elder care community are some of the many ways to increase understanding of the guardian's field of responsibility.

The costs associated with all of the above belong to the individual professional, not the ward. It is recommended that the professional guardian obtain a current copy of the Florida Probate Rules as a resource volume.

After fulfilling the above requirements, you must register as a professional guardian with the Statewide Public Guardianship Office. The registration form can be requested by calling SPGO at 813/974-1649, or can be downloaded from the web at <http://flguardian.fmhi.usf.edu/>. (added 9/5/02)

You are invited to join the Florida State Guardianship Association (FSGA), as well as one of the local FSGA chapters to personally connect with other guardians in your local community. Your membership in FSGA is the best way to keep abreast of Continuing Education Units and industry information that affects your practice and your clients. FSGA activities at the state and local level provide networking opportunities with the Aging Community.