

IN THE CIRCUIT COURT FOR THE FIFTH JUDICIAL CIRCUIT
IN AND FOR HERNANDO COUNTY, FLORIDA

ADMINISTRATIVE ORDER H-2000- 6

**ADMINISTRATIVE ORDER ESTABLISHING GUIDELINES REGARDING
COMPENSATION FOR PROFESSIONAL AND OTHER GUARDIANS
AND FOR FEES FOR ATTORNEYS, LEGAL ASSISTANTS AND PARALEGALS**

WHEREAS, Administrative Order A98-12, Administrative Order Re: Compensation for Professional & Other Guardians, was entered by the Chief Judge on June 12, 1998, effective April 15, 1998; and

WHEREAS, paragraph 6 of Administrative Order A-98-12 provides that petitions will be reviewed by the Court or its delegate, in order to determine the reasonableness of the time spent to perform the work; and

WHEREAS, the undersigned finds it is appropriate and essential at this time to establish definitive guidelines for the performance of their official duties for guardians in Hernando County; and for appropriate fees for work performed by legal assistants and paralegals, now therefore, it is

ORDERED AND ADJUDGED THAT:


1) Guardians will be compensated only for those duties necessary to perform their legal duties as guardian. If a guardian chooses to spend time with a ward visiting, shopping, going to lunch, etc., such time shall not be billed to the ward.

2) Pursuant to paragraph 5 of Administrative Order A98-12, all guardians must include a detailed description of the work performed and the time expended in the performance of the services. Therefore, it will be necessary to record each activity separately, including the date and amount of time required to perform that activity. As much detail as possible should be included, so that the reasonableness of the time expended may be justified.

3) Guardians who have more than one ward should separately indicate the beginning and ending times for each activity performed for each ward.

4) If an audit of a petition for reimbursement of guardian's fees reflects the guardian has charged more than one ward for the same time period, reimbursement will be disallowed until the guardian files with the court a statement verifying for which ward the services were actually performed. Failure to do so within fifteen (15) days of notification of a duplication of charges will result in loss of those time periods for the guardian from any ward so charged.

5) The original, not photocopies, of all time sheets should be submitted to the court.



6) Payments made on behalf of the ward should be by mail rather than in person, thereby reducing the expenditure of time and mileage, in order to conserve the ward's assets.

7) If and when it becomes necessary to drive to the bank or any other facility to transact business in behalf of a ward, an explanation should be included as to why the transaction could not be conducted through mail or direct deposit.

8) Attorneys who utilize services of a legal assistant/paralegal on a ward's estate for non-clerical, meaningful legal support as defined in F.S. 57.104, may bill the estate for reasonable services including:

a) Meetings with the guardian regarding administration of the guardianship, the guardian's duties and responsibilities.

b) All matter pertaining to obtaining the guardian's bond and discharging the guardian's bond.

c) Preparing memoranda to the file for the attorney's review.

d) Telephone conferences, office conferences, and correspondence to family members, guardians, neighbors, exam committee members, doctors, attorneys, bank, and the clerk's office regarding guardianship matters.

e) Assisting guardians with the preparation of the inventory, initial plan, annual accountings, and annual plans.

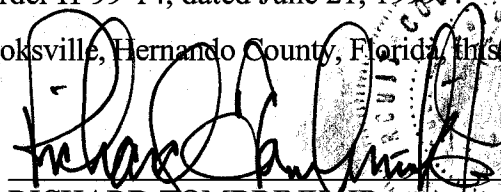
f) Preparation of standard guardianship petition and orders (i.e. Petition and Order to Access Restricted Account, Petition and Order for Reimbursement of Guardian, Petition and Order to List Ward's Real Property for Sale, Petition and Order to Sell Ward's Real Property, Petition and Order to Sell Ward's Automobile, etc.)

9) Services performed as outlined above by a legal assistant/paralegal in behalf of a ward's estate may be billed to the estate at a rate of not more than \$50.00 per hour; and the original, not photocopies, of all time sheets should be submitted to the Court.

10) Provisions of this order shall take effect March 1, 2000, and shall apply to all compensable services rendered and costs incurred after that date.

11) This order supercedes Administrative Order H-99-14, dated June 21, 1999.

DONE AND ORDERED in Chambers in Brooksville, Hernando County, Florida, this
day of February, 2000.


RICHARD TOMBRINK, JR.
Administrative Judge
Hernando County, Florida

