

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL
CIRCUIT OF THE STATE OF FLORIDA**

Administrative Order: A-2018-55-A

**AMENDED ORDER REGARDING GUARDIAN
ADVOCATE TRAINING COURSES**

WHEREAS, 394.4598(4), Florida Statutes, sets forth minimum training requirements for guardian advocates who are appointed in Baker Act cases; and,

WHEREAS, requiring completion of training in every case, before the guardian advocate is allowed to exercise his or her authority, potentially delays the ability to make treatment decisions and may be detrimental to the patient for whom treatment is prescribed; and,

WHEREAS, 394.4598(5), Florida Statutes, allows the court to waive some or all of the training requirements for guardian advocates; and,

WHEREAS, Article V, Section 2(d) of the Florida Constitution, Section 43.26, Florida Statutes, 2.215 Florida Rules of General Practice and Judicial Administration, charges the Chief Judge with the authority to promote the prompt and efficient administration of justice in the courts over which he or she is chief judge;

IT IS THEREFORE ORDERED

1. Pursuant to 394.4598(5), Florida Statutes, the following persons, if appointed as a guardian advocate for a patient in a Baker Act case, are excused from the requirement of mandatory training to serve as guardian advocate as found in 394.4598(4), Florida Statutes: the patient's spouse; an adult child of the patient; a parent of the patient; the adult next of kin of the patient; or an adult friend of the patient.

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2. Though the above named persons are excused from mandatory training, every person appointed as a guardian advocate in a Baker Act case is encouraged to participate in that training, which is available through the online portal for Florida Department of Children and Families.
3. A person, other than one listed in paragraph 1, will be required at a minimum to complete the 4-hour training required by 394.4598(4), Florida Statutes, as identified in paragraph 2, above, unless he or she has completed prior greater or equivalent training, or unless excused by the judge presiding in the case.
4. Nothing in this order prohibits the presiding judge from imposing other training requirements in any given case.
5. This Order is intended to comport with any amendment to statutes which may, from time to time, renumber the statute(s) cited herein (chapter, number, section, etc.). This order shall be deemed to comply with such changes to chapter, number, section, etc.

DONE AND ORDERED in Chambers in Brooksville, Hernando County, Florida, on this 15th day of April 2026.



Daniel B. Merritt Jr.
Chief Judge
Fifth Judicial Circuit