

**APPLICATION TO RECEIVE COURT APPOINTED CASES
REGARDING MENTAL HEALTH PROCEEDINGS,
EXTRAORDINARY GUARDIANSHIP ISSUES, AND OTHER
MATTERS**

Instructions: Please complete all sections of the application. Please print legibly or type. You must submit your application and a copy of your Florida Bar Card to the Probate and Guardianship Screening Committee (Appointed by the Eleventh Judicial Circuit AO No. 12-03 A1) via e-mail to ProbateRegistryApp@jud11.flcourts.org

1. Attorney Name: _____
2. Firm Name: _____
3. Office Address: _____
4. Telephone Number: _____
5. E-mail Address: _____
6. Languages Spoken: _____
7. Are you a member in good standing with the Florida Bar: Yes No
8. Have you been reprimanded by the Florida Bar? Yes No
 - If yes, please explain (provide date(s), reason(s), and outcome(s)- use additional sheets of paper if necessary):

_____(Initial) I understand that I have the duty to inform the Committee of any reprimand by the Florida Bar against me; any non-confidential consent agreements entered into between myself and the Florida Bar; and any claim of ineffective assistance of counsel that has been set for a hearing before a judge or magistrate.

- Please disclose any of the above in the space provided below. You may use additional sheets of paper, if necessary:

9. I have legal malpractice insurance as follows:
 - Carrier(s): _____
 - Amount of Insurance: _____
 - Policy Number(s): _____

10. I am board certified in the following areas: _____

I currently receive appointments in the following categories of proceedings (please mark all applicable categories):

- Adult Protective Services Proceedings Pursuant to Florida Statutes, Chapter 415
- Emergency Temporary Guardian Proceedings and other Extraordinary Proceedings Pursuant to Florida Statutes, Chapter 744
- Incapacity and Restoration Proceedings Pursuant to Florida Statutes, Chapter 744
- Developmentally Disabled Proceedings Pursuant to Florida Statutes, Chapter 393
- Court-Appointed Conflict Counsel in Marchman Act Proceedings Pursuant to Florida Statutes, Chapter 397
- Court-Appointed Conflict Counsel in Baker Act Pursuant to Florida Statutes, Chapter 394
- Court-Appointed Conflict Counsel in Tuberculosis Control Act Proceedings Pursuant to Florida Statutes, Chapter 392

11. List all cases in which you were appointed by the Court during the past year:

| | Case Number | Type of Case |
|-----|--------------------|---------------------|
| 1. | | |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |
| 6. | | |
| 7. | | |
| 8. | | |
| 9. | | |
| 10. | | |
| 11. | | |
| 12. | | |
| 13. | | |
| 14. | | |
| 15. | | |

(IF THERE IS INSUFFICIENT SPACE, PLEASE ATTACH A SEPARATE SHEET TO THIS APPLICATION)

12. I am applying to receive appointments in the following categories of proceedings (please mark all applicable categories):
- Adult Protective Services Proceedings Pursuant to Florida Statutes, Chapter 415.
 - Emergency Temporary Guardian Proceedings and Other Extraordinary Guardianship Proceedings, Pursuant to Florida Statutes, Chapter 744.
 - Incapacity and Restoration Proceedings Pursuant to Florida Statutes, Chapter 744.
 - Developmentally Disabled Proceedings Pursuant to Florida Statutes, Chapter 393.
 - Court-Appointed Conflict Counsel in Marchman Act Proceedings Pursuant to Florida Statutes Chapter 397.
 - Court-Appointed Conflict Counsel in Baker Act Proceedings Pursuant to Florida Statutes Chapter 394.
 - Court-Appointed Conflict Counsel in Tuberculosis Control Act Proceedings Pursuant to Florida Statutes Chapter 392.
13. **Requirements for Appointment in Adult Protective Services Proceedings, Emergency Temporary Guardian Proceedings, Other Extraordinary Guardianship Proceedings, Incapacity Proceedings and Restoration Proceedings**

| Case Type | Training Requirement |
|--|--|
| <p>Adult Protective Services Proceedings Pursuant to Florida Statutes, Chapter 415.</p> <p>And</p> <p>Emergency Temporary Guardian Proceedings and Other Extraordinary Guardianship Proceedings, Pursuant to Florida Statutes, Chapter 744.</p> <p>And</p> <p>Incapacity and Restoration Proceedings Pursuant to Florida Statutes, Chapter 744.</p> | <p>An attorney seeking to be appointed by a court for incapacity and guardianship proceedings must have completed a minimum of 8 hours of education in guardianship. A court may waive the initial training requirement for an attorney who has served as a court-appointed attorney in incapacity proceedings or as an attorney of record for guardians for not less than 3 years. § 744.331 Fla. Stat.</p> |

_____ (Initial) I certify that I have completed a minimum of 8 CLE credit hours on guardianship topics, and have accurately listed the guardianship CLE courses I have completed below (in lieu of listing the CLE courses, you may attach a printout from the Florida Bar showing the courses completed):

| CLE Course Number | CLE Course Name | Date Completed |
|-------------------|-----------------|----------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

-OR-

_____ (Initial) I certify that I have served as a court-appointed attorney in incapacity proceedings or as an attorney of record for guardians for not less than 3 years and request that the Court waive the initial training requirement in considering my candidacy for court appointments. I have accurately listed below at least five (5) cases where I served as a court-appointed attorney in incapacity proceedings or as an attorney of record for guardians, and certify that at least one (1) of those cases dates back to at least three (3) years ago:

| | Case Number | Type of Case |
|----|-------------|--------------|
| 1. | | |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |

14. Requirements for Appointment in Developmental Disability Proceedings:

NOTE: attorneys on this registry must be available to accept appointments over a specified time frame, usually either one or two weeks. Special training, as indicated below, is required for these appointments.

| Case Type | Training Requirement |
|---|---|
| Developmental Disability Proceedings Pursuant to Florida Statute 393 | <p>Fla. Stat. § 393.12(5)(a) provides:</p> <p>“The court shall initially appoint a private attorney who shall be selected from the attorney registry compiled pursuant to s. 27.40. Such attorney must have completed a minimum of 8 hours of education in guardianship. The court may waive this requirement for an attorney who has served as a court-appointed attorney in guardian advocate proceedings or as an attorney of record for guardian advocates for at least 3 years.”</p> |

_____ (Initial) I certify that I have completed a minimum of 8 CLE credit hours on guardianship topics, and have accurately listed the guardianship CLE courses I have completed below (in lieu of listing the CLE courses, you may attach a printout from the Florida Bar showing the courses completed):

| CLE Course Number | CLE Course Name | Date Completed |
|-------------------|-----------------|----------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

-OR-

_____ (Initial) I certify that I have served as a court-appointed attorney in guardian advocate proceedings or as an attorney of record for guardian advocates for not less than 3 years and request that the Court waive the initial training requirement in considering my candidacy for court appointments. I have accurately listed below at least five (5) cases where I served as a court-appointed attorney in guardian advocate proceedings or as an attorney of record for guardian advocates, and certify that at least one (1) of those cases dates back to at least three (3) years ago:

| | Case Number | Type of Case |
|----|-------------|--------------|
| 1. | | |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |

15. Requirements for Appointment as Court-Appointed Conflict Counsel

| Case Type | Training Requirement |
|---|---|
| Court-Appointed Conflict Counsel in Marchman Act Proceedings Pursuant to Florida Statute 397 And Tuberculosis Control Act Proceedings Pursuant to Florida Statutes Chapter 392 | 27.511(6)(a): “The office of criminal conflict and civil regional counsel has primary responsibility for representing persons entitled to court-appointed counsel under the Federal or State Constitution or as authorized by general law in civil proceedings, including, but not limited to, proceedings under s. . . . 392, . . . , 397” 27.40(2)-(4) “(2)(a) Private counsel shall be appointed to represent persons in those cases in which provision is made for court-appointed counsel but the office of criminal conflict and civil regional counsel is unable to provide representation due to a conflict of interest. (b) Private counsel appointed by the court to provide representation shall be selected from a registry of individual |

| | |
|---|---|
| | <p>attorneys maintained under this section. . . . To be included on a registry, an attorney must certify that he or she:</p> <ol style="list-style-type: none"> 1. Meets any minimum requirements established by the chief judge and by general law for court appointment; 2. Is available to represent indigent defendants in cases requiring court appointment of private counsel; and 3. Is willing to abide by the terms of the contract for services. <p>To be included on a registry, an attorney must enter into a contract for services with the Justice Administrative Commission. . . . (4) To be eligible for court appointment, an attorney must be a member in good standing of The Florida Bar in addition to any other qualifications specified by general law and any requirements set by the chief judge of the circuit.”</p> |
| <p>Court-Appointed Conflict Counsel in Baker Act Pursuant to Florida Statute 394</p> | <p>§394.916(3) “At all adversarial proceedings under this act, the person subject to this act is entitled to the assistance of counsel, and, if the person is indigent, the court shall appoint the public defender or, if a conflict exists, other counsel to assist the person.”</p> <p>27.40(2)-(4) “(2)(a) Private counsel shall be appointed to represent persons in those cases in which provision is made for court-appointed counsel but the office of criminal conflict and civil regional counsel is unable to provide representation due to a conflict of interest.</p> <p>(b) Private counsel appointed by the court to provide representation shall be selected from a registry of individual attorneys maintained under this section.</p> <p>. . . To be included on a registry, an attorney must certify that he or she:</p> <ol style="list-style-type: none"> 1. Meets any minimum requirements established by the chief judge and by general law for court appointment; 2. Is available to represent indigent defendants in cases requiring court appointment of private counsel; and 3. Is willing to abide by the terms of the contract for services. <p>To be included on a registry, an attorney must enter into a contract for services with the Justice Administrative Commission. . . .</p> <p>(4) To be eligible for court appointment, an attorney must be a member in good standing of The Florida Bar in addition to any other qualifications specified by general law and any requirements set by the chief judge of the circuit.”</p> |

_____(Initial) I certify that I am qualified for court appointments as conflict counsel on Marchman Act Proceedings under Chapters 27, and 397 of the Florida Statutes.

_____(Initial) I certify that I am qualified for court appointments as conflict counsel on Tuberculosis Proceedings under Chapters 27, and 392 of the Florida Statutes.

_____(Initial) I certify that I am qualified for court appointments as conflict counsel on Baker Act and Marchman Act Proceedings under Chapters 27, 394 and 397 of the Florida Statutes.

16. Acknowledgment of Responsibility for Court Appointment Activities:

_____(Initial) I understand that, if I am selected for any of the court appointments sought in this application, I have a duty to accept the appointment, unless I have a conflict of interest.

_____(Initial) I understand that, if I am selected for any of the court appointments sought in this application, I must meet with the court-appointed client (whether in person, on the telephone, or via video conferencing, as the circumstances may allow).

_____(Initial) I understand that, if I am selected for any of the court appointments sought in this application, I must personally attend and handle any hearings arising out of or related to the court appointment.

_____(Initial) I understand that, if I am selected for any of the court appointments sought in this application, while I may delegate the preparation of court filings to other members of my firm, I must oversee such preparation and review the final product of any court filings prior to submission. Further, I understand that I shall not reassign or subcontract any appointed case or portion thereof to another attorney or bill for work performed by another attorney, nor shall the CAC bill for work performed by a paralegal, secretary (or other similar clerical office support), legal assistant, administrative assistant or other employee of the CAC's law practice.

_____(Initial) I understand that failure to initial any of the foregoing acknowledgments shall result in my application being rejected.

_____(Initial) I understand that failure to comply with the foregoing acknowledgments shall result in immediate disqualification as an appointee. I also understand that I may not reapply for consideration by the Probate and Guardianship Screening Committee until the next application period.

Under penalties of perjury, I declare that I have read the foregoing and the answers provided are true and correct, to the best of my knowledge and belief.

Dated this _____ day of _____, 20__.

Signature

Printed Name

OFFICIAL USE ONLY- APPLICANT IS NOT TO WRITE BELOW THIS LINE

THE ABOVE CANDIDATE IS APPROVED TO RECEIVE APPOINTMENTS IN THE FOLLOWING AREA(S):

- Adult Protective Services Proceedings Pursuant to Florida Statute 415.
- Emergency Temporary Guardian Proceedings and Other Extraordinary Guardianship Proceedings, Pursuant to Florida Statutes, Chapter 744.
- Incapacity and Restoration Proceedings Pursuant to Florida Statute 744.
- Developmentally Disabled Proceedings Pursuant to Florida Statute 393.
- Court-Appointed Conflict Counsel Marchman Act Proceedings Pursuant to Florida Statute 397.
- Court-Appointed Conflict Counsel in Baker Act Pursuant to Florida Statute 394.
- Court-Appointed Conflict Counsel in Tuberculosis Control Act Proceedings Pursuant to Florida Statutes Chapter 392.

PROBATE AND GUARDIANSHIP SCREENING REVIEW COMMITTEE

Signature(s): _____

Print Name(s): _____

Date: _____