ELEVENTH JUDICIAL CIRCUIT
OF FLORIDA
OFFICE OF THE GENERAL COUNSEL

73 W FLAGLER STREET, SUITE 1902
MIAMI, FL 33130
PH: (305) 349-7300 | FX: (305) 349-7547

ADMINISTRATIVE MEMORANDUM

TO: All current and future non-professional court appointed Guardians and their attorneys.

FROM: Yvonne Colodny, Administrative Judge, Probate Division

DATE: October 1, 2024

SUBJECT: Guardian Credit History

WHEREAS, pursuant to Florida Rule of General Practice and Judicial Administration 2.215, the Chief Judge of the Eleventh Judicial Circuit of Florida has the authority to implement policies necessary to ensure the efficient and proper administration of all courts within the Eleventh Judicial Circuit; and

WHEREAS, in order to expedite the administration of justice in the Eleventh Judicial Circuit of Florida, under rule 2.215, Florida Rules of General Practice and Judicial Administration, the Chief Judge is authorized to delegate such authority when necessary; and

WHEREAS, Judge Yvonne Colodny has been appointed as the Administrative Judge for the Probate Division for the Eleventh Judicial Circuit of Florida to perform certain duties in accordance with the applicable Florida Statutes, federal law, and court rules; and

WHEREAS, Section 744.3135, Fla. Stat. (2024) requires all guardians who are seeking appointment by the court, other than a corporate guardian as described in s. 744.309(4), and all employees of a professional guardian, other than a corporate guardian as described in s. 744.309(4), who have a fiduciary responsibility to a ward, to submit, at their own expense, to a credit history investigation and to undergo level 2 background screening as required under s. 435.04; and

NOW, THEREFORE, pursuant to the authority vested in me as Administrative Judge of the Probate Division of the Eleventh Judicial Circuit, in and for Miami-Dade County, Florida and Florida General Practice and Judicial Administration Rule 2.215(5), hereby report to the Chief Judge the following:

1. Any individuals (who are not professional guardians registered under OPPG) seeking appointment as guardian of a ward are henceforth required to file the results of a credit history investigation prior to their appointment. This requirement may be satisfied by submission of a credit report from a reputable credit reporting agency, such as Equifax, Experian, or TransUnion.

Failure to file a copy of the credit history check shall result in denial of the petition for appointment.

2. Any currently appointed guardians, who have not previously submitted a credit history investigation, are required to do so by January 31, 2025, to maintain their current appointment. Failure to file a copy of the credit history check may result in sanctions which may include fines or removal.

This Administrative Memorandum shall take effect January 1st, 2025, and shall remain in effect until it is amended or revoked.

Dated this ____ day of OCT 07 2024 2024.

Yvonne Colodny, Administrative Judge
Eleventh Judicial Circuit of Florida, Probate Division