

FLORIDA 2014 LEGISLATION: A MID-SESSION REPORT

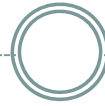


Probate and Pumpnickel

March 18, 2014



GUARDIANS UNDER THE MICROSCOPE



Definition of Audit

Annual Accounting

Responsibilities of Clerk

Credit Histories

Reasons for Removal

Expunction of Criminal History

WHERE IS MY MONEY?



Fees on Fees

Expert testimony not necessary

Settlements of Minors

Examining Committee

CAN'T THIS WAIT?



Guardianship Reform

Eliminates certain factors from consideration for determining fees

Notice required for fee petitions

Examining Committee

Financial Exploitation of Wards

Florida Contraband Forfeiture Act

A TRUSTEE FOR SOME, BUT NOT ALL, PURPOSES



Directed and Excluded Trustees

Drafting Opportunity

Full exoneration of an excluded trustee

Removes duty of inquiry

Effective as of July 1, 2014

MORE(Y) FEEL GOOD AND MORE



“Morey” Fix s. 733.808 and 736.05053

Requires specific reference to 733.808(4) in order to treat death benefits as part of estate and subject to creditors and expenses

“clarification” with retroactive application

Effective date for Gifts to Lawyer/Draftsperson s. 732.806

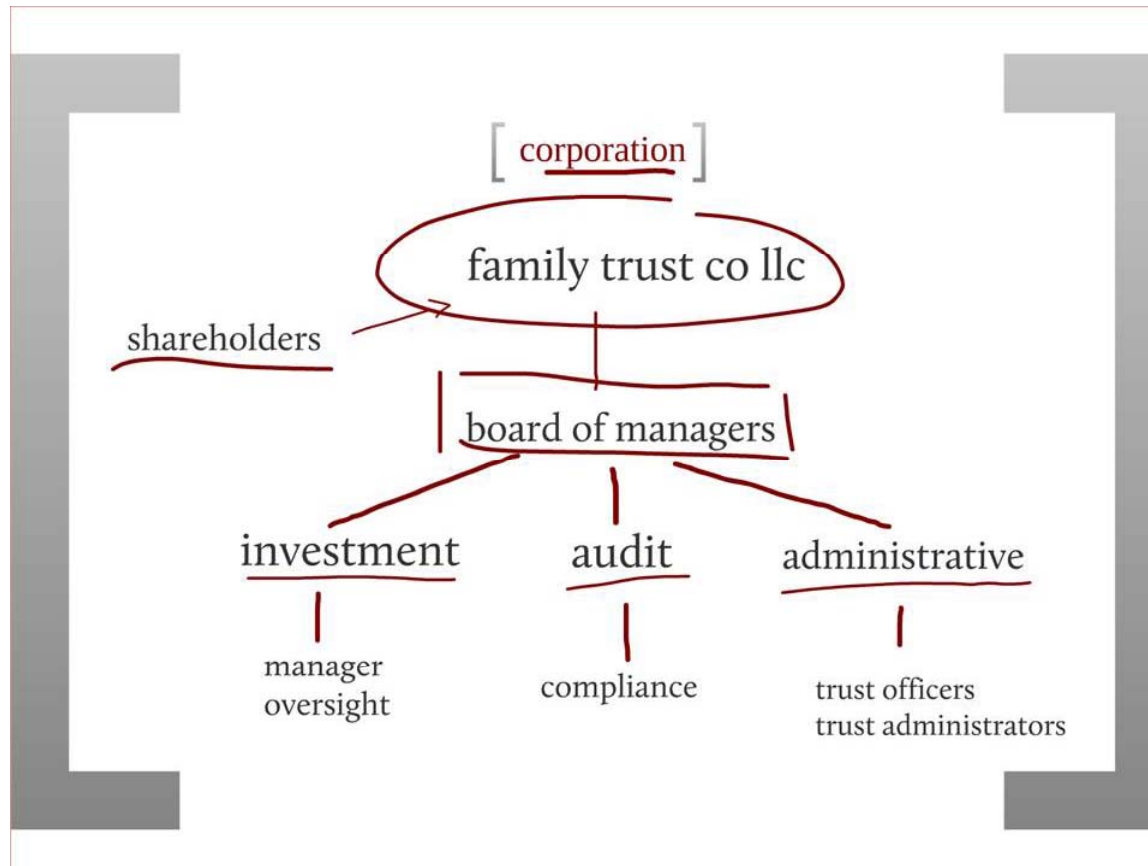
Only documents executed on or after October 1, 2013

Burden of Proof in Contest s. 733.107 and 736.0207

Clarifies to which events the presumption applies

Antilapse in Trusts s. 736.1106

NOT YOUR FATHER'S TRUST COMPANY



FOLLOW THE MONEY



Section 1. Section 117.055, Florida Statutes, is created to read:

117.055 Notarial journal.—

Paper or electronic

Retain for at least 5 years

Locked and secured; if electronic protected by password or other authentication

Content of each sequential and nonmodifiable record specified in bill

FOLLOW THE MONEY



The screenshot shows a Google search for "notary journals florida". The search results include several advertisements and organic listings. The top organic result is "Notary Record Journals" from notaryjournals.notarysuperstore.com. Below it is "40% OFF Notary Supplies - American Assoc. of Notaries" from notarypublicstamps.com. Further down are "Florida Notary Supplies - AcornSales.com", "Florida Notary Seals, Notary Stamps and Notary Supplies" from allstatenotarysupplies.com, "Florida Notary Stamps and Supplies - American Assoc. Not...", and "Florida Notary Service | Florida Notary Supplies" from florianotaryservice.com. On the right side, there is a "Shop on Google" sponsored ad for a "Personalized Notary Journal" for \$16.00. Below that are more ads for "Notary Journals", "American Assoc. Notaries", "Notary Supply & Journals", and "Become a Florida Notary".

Chapter 50 Section 0211 - 2 | www.flsenate.gov/Session/ | notary journals florida - Google |

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About 737,000 results (0.31 seconds)

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LESS PAPER



50.0211 Internet website publication.—

(1) This section applies to legal notices that must be published in accordance with this chapter unless otherwise specified.

<http://floridapublicnotices.com/>

GRAMMAR BE DARNED



“Florida SouthWestern ~~Edison~~ State College”

GROWLER



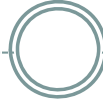
16

32

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128

CONCLUSION



Day 15