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## Instructions for the AGED Guardian Benevolent Fund

**Effective April 1, 2024**

AGED's Guardian Benevolent Fund (GBF) is an initiative designed to offer financial support for Professional Guardians and their Attorneys, covering a portion of fees for services provided to Wards lacking the financial resources for such payments. To obtain payment for services rendered to pro-bono wards:

***If the case originated from, or is petitioned by, a hospital or facility, call AGED for discussion about payment. Restrictions may apply.***

The GBF will consider applications for the following types of guardianships. Other types of guardianships may have limitations or restrictions. Call AGED to discuss.

- Plenary Guardianship of the Person and Property, or Plenary Guardianship of the Person
- Limited Guardianship of the Person and Property, or Limited Guardianship of the Person
- Guardian Advocacy

Note:

- a. You will be issued a 1099 NEC for payment received from GBF.
- b. Funding is zone specific and not guaranteed. Funding comes from Surplus Trust Property retained by AGED Trust upon the passing of a Ward who is a beneficiary of an AGED Pooled Trust established by a Professional Guardian. Funding of the GBF varies. Do not rely on these payments as a regular source of income.
- c. While AGED does not require a court order, receiving fees from GBF without a court order may create issues. Discuss these payments with your attorney and refer to Florida Statutes 744.367(3)(a), 744.108, and Rule 58M-2009 22(a).
- d. Funds may be used to support Public Guardianship at AGED's discretion.
- e. Payment may be denied at any time, without cause, and at the sole discretion of AGED.

1. Submit the AGED GBF Application form with the Guardian's signature. This one-time application gives AGED basic information about each Ward to verify qualification for the program.
2. Submit an AGED GBF Disbursement form, with the Guardian's and/or the Guardian's Attorney's fee invoices *Note: Disbursement Form may include invoices up to six months prior to submission date of the form.*
3. Guardians: The **maximum** compensation for Guardian fees is **10 hours per calendar month**, at a **maximum rate of \$50.00** per hour. **Copy of detailed billing including time is required. No expenses paid.**
4. Attorneys: The **maximum** compensation for Attorney's fees is **12 hours per calendar year**, at a **maximum rate of \$100.00** per hour. **Copy of detailed billing including time is required. No expenses paid.** *Note: Guardian must submit Attorney's fees for Attorney to be paid for services by GBF and Attorney should be actively representing the guardian.*

**Important Note:** Payment is available on a first-come first-serve basis; therefore, we encourage monthly requests for payments. If there are no funds available when a disbursement request is received, the request and invoices will be placed on hold until funds are available. The method for determining payments is at the sole discretion of AGED. The initial application may include invoices up to six months **prior to application date.**

5. In addition to the limit per guardianship of \$50/hour for up to 10 hours per month, AGED is also limiting the total funds that a Guardian receives to \$3,000 per month of billing. Guardians can have many wards in the program but the total compensation that they would receive in any calendar month from GBF will not be more than \$3,000 to be fair to other Guardians in the program and to extend the life of the existing funds in the program.
6. A W-9 must be completed. Each party must submit their own W-9. The Guardian must submit the W-9 for the Guardian to receive payment. The Attorney must submit the W-9 for the Attorney to receive payment.
7. Application and Disbursement forms can be emailed to: [probono@trustaged.org](mailto:probono@trustaged.org); faxed to 407-682-5511; or mailed to: AGED Trust 1024 Florida Central Pkwy, Longwood, FL 32750.

***Requests for payment are not considered a lien, debt, or any other form of obligation for AGED to pay for services of a ward to a Guardian or Attorney.*** The program was created out of respect for what Professional Guardians and their Attorneys do for their wards.