A QUICK GUIDE

INJUNCTION FOR PROTECTION

FOR VULNERABLE ADULTS

BAY COUNTY



WHO CAN FILE A PETITION?

- A vulnerable adult who is in imminent danger of being exploited, or their guardian
- A person or organization acting with the consent of the vulnerable adult, or their guardian
- An agent under a valid durable power of attorney
- A person who simultaneously files a petition for determination of incapacity and appointment of an emergency temporary guardian with respect to the vulnerable adult

FILING A PETITION:

- If a guardianship is pending, the petition must be filed in that case; otherwise, it must be filed in the circuit where the vulnerable adult resides.

** Per section 825.1035(2), Florida Statutes*

Effect of Providing False Information to the Court:
A person making false statements in a petition for an injunction against the exploitation of a vulnerable adult is subject to criminal penalties and perjury prosecution pursuant to section 837.02, Florida Statutes.

WHO IS A VULNERABLE ADULT?

- An adult with impaired ability to:
  - Perform normal activities of daily living
  - Provide for own care or protection
- Impairment is due to any of the following: disability (mental, emotional, sensory, long-term physical or developmental), brain damage, or infirmities of aging

** Per section 415.102(28), Florida Statutes*

WHAT IS EXPLOITATION?

- Depriving the vulnerable adult of their funds or property
- Depriving the vulnerable adult with diminished capacity of funds or property
- Breach of a fiduciary duty to the vulnerable adult
- Bank account misuse
- Failure to provide necessities
- Modification of a vulnerable adult's intended estate plan for financial benefit

** Per section 825.103(1), Florida Statutes*





CONTACT INFORMATION

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