

SETTLEMENT OF MINOR'S CLAIM

GUARDIANSHIP OF _____
CASE NO. : _____
ATTORNEY: _____
DATE: _____

See, FS 744.387 (settlement of claims), FPR 5.636 (settlement of minors claims), FS 744.301 (natural guardians), FS768.23 (Protection of minors and incompetents), FS 768.25 (Court approval of settlements.), FS 744.391 (Actions by and against guardian or ward), FS 744.441 (Powers of guardian upon court approval), FS 744.446 (Conflicts of interest; prohibited activities; court approval), FS 744.447 (Petition for authorization to act), FPR 5.610 (Execution by guardian), FPR 5.630 (Petition for approval of acts), *Maugeri v. Plourde*, 396 So.2d 1215 (3d DCA 1981), only court having jurisdiction to approve settlement of a minor's claim in a pending action is the court in which the action is pending.

BRIEF DESCRIPTION

Nature of claim: _____
Type of injuries: _____
Meds: \$ _____
Policy limits: \$ _____
Proposed Settlement: \$ _____
Attorney Fees: \$ _____
Unpaid meds: _____
Attorneys Fees/ gdnshp: \$ _____
Payment to parent or guardian \$ _____
Net to Minor: \$ _____

Petition:

- ___ Doctor's reports substantiating alleged prognosis
- ___ Incident reports / declaration sheets on insurance policies
- ___ Statement disclosing conflicts of interest of guardian
- ___ Description of cause of action of minor's claim
- ___ Summary of terms of proposed settlement
- ___ Copies of agreements, releases, etc, to be executed for minor
- ___ Copy of attorney fee contract
- ___ Break down of attorney's costs
- ___ Order provides specific distributions

- ___ Notice to guardians, parents, custodians & minor (if 14) and next of kin.

- ___ Assets are paid to depository or are otherwise protected

Gross value of settlement \$ _____

COMMENTS: _____

RECOMMENDATION: _____
