

IN THE EIGHTH JUDICIAL CIRCUIT OF FLORIDA
ADMINISTRATIVE ORDER NO. 7.05

INCAPACITY ORDERS: FDLE REPORT INFORMATION

WHEREAS, before the Florida Department of Law Enforcement (FDLE) may approve the sale or delivery of a firearm, pursuant to section 790.065, Florida Statutes, it is required to “[r]eview any records available to determine if the potential buyer or transferee” is the subject of certain orders involving mental health incapacity determinations. §790.065(2)(a)4., Fla. Stat. (2023); and

WHEREAS, Clerks of Court are required to submit records of mental incapacity determinations to FDLE, pursuant to section 790.065(2)(a)4.c., Florida Statutes; and

WHEREAS, the forms of incapacity or guardianship orders promulgated by The Florida Bar do not include all the information that Clerks of Court must report to FDLE; it is therefore

ORDERED that all orders determining incapacity under section 744.331, Florida Statutes, and all orders appointing a guardian advocate under section 393.12, Florida Statutes, shall include the following information pertaining to the person determined to be incapacitated or to be in need of a guardian advocate:

- Aliases
- Date of birth
- Sex
- Race

This Order replaces and supersedes Administrative Order 7.05 (v1), “Incapacity Orders: FDLE Report Information,” dated October 5, 2012.

ORDERED on this 14th day of November, 2023.



Mark W. Moseley, Chief Judge