

# INJUNCTION FOR PROTECTION: VULNERABLE ADULT



## 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 Constitutes 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

\*Per section 825.103(1), Florida Statutes

# Who May File a Petition?

- A vulnerable adult in imminent danger of being exploited
- The guardian of a vulnerable adult who is in imminent danger of being exploited
- A person or organization acting with the consent of the vulnerable adult, or his or her guardian
- 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.

### *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.*

## Contact Information:

### Pasco County Clerk & Comptroller

#### West Pasco Judicial Center

7530 Little Road

New Port Richey, FL 34654

(727) 847-8031

[www.pascoclerk.com](http://www.pascoclerk.com)

#### Robert Sumner Judicial Center

38053 Live Oak Avenue

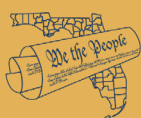
Dade City, FL 33523

(352) 521-4542

[www.pascoclerk.com](http://www.pascoclerk.com)

### Florida Abuse Hotline:

1-800-955-8771



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