

THIRD DISTRICT COURT OF APPEAL OF FLORIDA

Daniel Miguel v. In re: Sonia Miguel, etc.

Miguel · No. 3D25-0361 · Decided December 17, 2025

SUMMARY

The Third District Court of Appeal of Florida reversed a guardianship-court order imposing attorney’s fees and expert-witness costs as sanctions against Daniel Miguel. The court held that, before imposing an inherent-authority bad-faith sanction, the trial court was required to conduct an evidentiary hearing providing notice and an opportunity to present witnesses and other evidence. The case was remanded for further proceedings.

CASE DETAILS

COURT	Third District Court of Appeal of Florida
WRITING FOR THE COURT	SCALES, C.J.; MILLER, J.; LOBREE, J.
JURISDICTION	Florida Third District Court of Appeal
DECIDED	December 17, 2025
DOCKET	3D25-0361
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Daniel Miguel appealed a guardianship court order imposing attorney's-fee and expert-witness sanctions for alleged bad-faith litigation conduct.
PRECEDENTIAL VALUE	Published
PARTIES	Daniel Miguel v. In re: Sonia Miguel, etc.

TOPICS

- guardianship procedure
- guardianships
- appellate procedure
- remedies

PRACTICE AREAS

- Guardianship
- Probate
- Appellate procedure
- Sanctions and remedies

QUESTIONS PRESENTED

- Whether a guardianship court may impose attorney's-fee sanctions under its inherent authority for alleged bad-faith litigation conduct without first providing notice of and conducting an evidentiary

hearing.

2. Whether due process requirements governing inherent-authority sanctions apply in guardianship proceedings.

HOLDINGS

1. Before imposing an attorney's-fee sanction under its inherent authority for alleged bad-faith conduct, a trial court must provide notice and conduct an evidentiary hearing that affords the accused party and counsel an opportunity to present witnesses and other evidence.
2. The due-process obligation governing inherent-authority sanctions applies to probate and guardianship proceedings.

KEY QUOTATIONS

“Moreover, such a sanction is appropriate only after notice and an opportunity to be heard – including the opportunity to present witnesses and other evidence.” (at 3)

“The guardianship court was required to take the additional step of noticing and conducting an evidentiary hearing on Daniel Miguel and his counsel’s purported bad faith filing before imposing a sanction, if any.” (at 3)

FACTUAL BACKGROUND

Daniel Miguel filed an emergency motion in a guardianship proceeding concerning his mother, Sonia Miguel, seeking information about her whereabouts. The guardianship court determined that the motion was not an emergency and sought relief outside its jurisdiction, then later imposed sanctions based on purported bad faith by Daniel and his counsel. The sanctions included attorney's fees and expert-witness fees.

PROCEDURAL HISTORY

Daniel Miguel filed an emergency motion seeking to determine the whereabouts of his mother, Sonia Miguel. After finding that the motion was not an emergency and that it sought relief beyond the court's jurisdiction, the guardianship court reserved jurisdiction to impose sanctions. Following a sanctions hearing, the court entered an order awarding \$31,046 in attorney's fees to counsel for Jorge Miguel and \$5,250 to an expert witness. The Third District Court of Appeal reversed and remanded because the guardianship court did not conduct an evidentiary hearing concerning the alleged bad faith before imposing sanctions.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The guardianship court must provide notice of and conduct an evidentiary hearing regarding Daniel Miguel and his counsel's purported bad-faith filing before imposing any sanction.

CASES CITED

- Barbara Moakley v. Sheri Smallwood, Moakley v. Smallwood, 826 So. 2d 221, 226-227 (Fla. 2002)
- Goldman v. Est. of Goldman, 166 So. 3d 927, 929 (Fla. 3d DCA 2015)
- Buechele v. In re: Est. of Buechele, 366 So. 3d 1165, 1169 (Fla. 3d DCA 2023)

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