



# Too much, too many

A White Paper by Americans Against Abusive Probate Guardianship

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A recent article in the New York Times indicates that a large number of law school graduates from 2010 have not been able to find employment in the legal sector and are burdened with huge educational loans that need to be repaid.

[NYTimes.com - Burdened with debt, Law School Graduates Struggle in Job Market](#)

They obviously chose the wrong profession. Instead of amassing hundreds of thousands of dollars of loans to get a law degree and maybe earn \$160,000 a year as a starting salary, they should have considered becoming professional for profit guardians.

After all, lawyers get to do their thing in court rooms in front of judges who make very important decisions about people's lives. It turns out that guardians- who don't need any education or training other than a high school diploma --get to do that, too!

To become a guardian you don't need loans or higher education and it certainly doesn't take four years of college and three years of law school followed by low-paying entry-level positions. Just take a 40 hour Internet course, pass a test that any fifth grader could easily pass and bingo you are a professional Guardian. You're now free to troll for your own "clients" and with any luck you'll find vulnerable people and families wherever you live and they can be your clients.

You can find your clients in hospitals, nursing homes, assisted-living facilities, senior centers, banks, investment services companies, and retirement communities. If you are just a little patient, it's inevitable that some of them will become ill, have accidents or in some other way become low hanging fruit for a guardianship case. If you make sure to buddy up with your local probate court judge-- perhaps become his drinking buddy or golf partner or even his wife!-- you can take advantage of somebody who did go to law school and spent all that money and team up to get guardianships handed to you by the court. If you get enough of these cases you'll make even more than the lawyers and without all that messy overhead, expense, malpractice insurance, and oaths.

And you'll be in very good company in the state of Florida. In 2003 there were only 23 professional guardians of the entire state. Today this rapidly emerging job of choice has grown to over 460 positions throughout the state according to the Florida Department of Elder Affairs. And even though all those professional guardians might seem like competition for cases, not to worry-- the endless flow of senior citizens who have money coming in to Florida is not likely to

stop anytime soon, thus providing a rich and fertile hunting ground for any aspiring predatory Guardian.

What is the ultimate and inevitable result of more guardians in Florida? Based on current trends it would be the production of more guardianships! After all, statistics seem to indicate that the number of guardianships in Florida, especially South Florida, are increasing at a dramatic double-digit rate per year. This is great for the guardianship industry.

But wait, aren't the judges complaining that they are overworked and understaffed and underpaid because of all these guardianships? Aren't they saying that they're tired of all the adversarial litigation that takes up so much of the court's time and resources? Haven't they said that they're sick and tired of the "losers" in their court taking up their time trying to protect their parents from abusive guardianship? Haven't they complained about the "scorched-earth tactics" of those "evildoers" who insist on demanding due process, adherence to advance directives, an end to chemical restraints and vicious retaliation against family members trapped in the guardianship gulag?

The explosive growth in the number of professional guardians in Florida is not a coincidence. It did not happen by chance. Professional guardians have the opportunity to amass great fortunes and wonderful lifestyles by engineering the redirection of intergenerational wealth transfer away from families that rightfully deserve them and into their own pockets. Under the thick blanket of secrecy that engulfs guardianship procedures, the hijacking of an individual's life and assets can occur in the blink of an eye. In that brief moment, the predatory Guardian who is supposed to protect their Ward, can pervert the law and establish an open-ended, guaranteed and unassailable revenue stream of huge proportions with essentially no oversight. Without any repercussions to their heinous actions, greed-based predatory guardians become addicted to the power and money of their new-found cash cows. Like all addictions, enough is never enough and too much is never too much.

AAAPG recognizes the inherent risks that large numbers of guardians pose to the safety of citizens in Florida and across the country. In addition to legislation which AAAPG has successfully created to rein in abuses in guardianship, we must demand that the judiciary recognize and repair the major faults in the guardianship probate system that have resulted in the exploitation and abuse of so many innocent families. It's time for the judiciary to stop complaining and step up to protect innocent citizens and families across the state and across the country.

It is high time to drastically reduce the number of guardianships in Florida and the USA.

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