

Instructions for submitting a written report of guardianship abuse to DCF

PLEASE PRINT THIS ENTIRE DOCUMENT NOW

The Florida Abuse Hotline accepts reports 24 hours a day and 7 days a week of known or suspected child abuse, neglect, or abandonment and reports of known or suspected **abuse, neglect, or exploitation of a vulnerable adult**. To make a report you can -
fax your report to 1-800-914-0004

<http://www.dcf.state.fl.us/programs/abuse/docs/faxreport.pdf>



Step one: download and print the form from the link above

Step two: complete page 1 of the form by hand

Go to page 2

Step three: in the “what happened” section on page 2, insert the words “see attached”.

Step four: in the section labeled “description of injuries”, insert the words “see attached”.

Step five: in the section titled for adult victims only insert “victim is a ward”.

Step six: check every box on this document that applies to your complaint.

Step seven: sign where indicated on the last page of this form.

Step eight: make and save 2 copies of the report for your records.

Step nine: fax all pages **but NOT this one** to 1 -800-914-0004

Step ten: fax one copy of your report to AAPG at 305 503 5930
or mail that copy to PO Box 800511 Aventura FL 33280.

Keep accurate records of any communications with DCF that follow.

Adult Protective Services/Department of Children and Families

FAX REPORT OF GUARDIAN ABUSE OF A WARD

Today's Date:

Name of Ward:

Supervising Judge:

Name

Circuit

Guardian:

Name

Address

City

State

Zip

Telephone

Guardianship Case Number:

Guardian Attorney:

Name

Address

City

State

Zip

Telephone

This report is filed under Florida Statute 415.103 and seeks to initiate an immediate investigation from Adult Protective Services as there is a reasonable cause to suspect that a vulnerable adult has been or is being abused, neglected, or/and financially exploited.

I request that an agent familiar and well trained in financial abuse of elderly and Wards be assigned to this case. I request that the agent attest and DCF guarantee that he/she has never taken a referral fee or other monetary inducement from the Guardian in question or from his associates of Attorneys and will not in this matter.

You may not release my identity, without my prior written consent, to any person other than employees of the department responsible for protective services, the central abuse hotline, or the appropriate state attorney or law enforcement agency.

I request that a copy of this report be made available to me as soon as the initial investigation is completed.

In this document gender pronouns are interchangeable

ABUSE ALLEGATIONS

It is my belief that the Ward is being abused, neglected and financially exploited by the Guardian who is misusing her power and not acting in the best interests of the Ward. The boxes checked indicate the abuses alleged which require investigation.

Abuse:

- The Ward has been cruelly isolated from family, neighbors and friends.
- The Ward has been removed from her residence and into a facility where she is in danger and her needs unmet.
- Guardian threatened Ward of consequences of resistance.
- The Ward has been held in chemical restraints with handler drugs which place the Ward into a zombie-like state.
- The guardian is withholding vital medical treatment and instead overdosing with potentially lethal doses of drugs. Including: narcotics, tranquilizers, sedatives, atypical antipsychotic medication, which are contraindicated in the treatment of the elderly.
- This/These medication(s) is/are hastening the Ward's demise.
- The Ward has been made unable to eat or drink and has had a feeding tube inserted.
- The Ward is not receiving adequate nutrition and is becoming emaciated.
- The ward has gained excessive weight to an improper starchy salty fatty diet.
- The Ward's general condition is deteriorating rapidly.
- The Ward is not receiving proper treatment or medical care for her condition(s).
- The Ward is being denied needed medical services including: skilled nurses, oxygen, medical equipment, nursing assistants, aides, physical therapy .
- The Ward is being denied emotional support and counseling.
- The Ward has been denied much needed dental care and cannot eat properly as a result.
- The Guardian has transferred the Ward's care from long time family Physicians to unfamiliar less qualified providers and institutions which are directly and greatly profiting from their association with and referrals from the guardian and their ability to improperly bill and overbill Medicare and other programs.
- The Ward is prevented from practicing religion of choice or attending services.
- The Ward is prohibited from leaving her place of residence.
- The Ward shows observable signs of overt physical abuse and injury that only occurred in her current place or residence.
- Ward has been kept with people who are violent and have mental health issues.

- Ward has been attacked by patients and/or residents with mental health issues who room with or near them or by staff members.
- Guardian hires abusive neglectful health care workers to take care of Ward.
- Ward has been restrained with straps to wheelchair and bed.
- Ward is not allowed to have visitors without supervision from guardian personnel.
- Guardian does not timely notify family members of hospitalization.
- Guardian does not timely notify family members of serious health issues.
- Guardian will not respond to phone calls or emails about Ward's condition forcing family to expend funds to hire a lawyer to speak with the Guardian's lawyer.
- Guardian has induced or created stay away orders as retaliation against family.
- The guardian has threatened to retaliate against anyone who complains.
- Ward has been improperly and cruelly placed in lockdown unit without hearings.
- Ward has been placed in Hospice despite Advance Directives not to be.
- Other:**

Neglect:

- The Guardian is unconcerned about the Ward's deteriorating condition.
- The Guardian refuses to communicate with family members .
- The Guardian only very rarely visits the Ward and cannot know her condition.
- The Guardian has instructed others to prevent any contact with loved ones.
- The Guardian has removed all forms of support and assistance from the Ward.
- The Ward has been denied access to her beloved pet.
- The Ward is treated without dignity or respect.
- The Ward is not properly cleaned or bathed or groomed.
- The Ward's nails and toenails are left untrimmed.
- The Ward is limited or prohibited from receiving or making phone calls or receiving mail.
- The Ward is not provided proper clean clothing or is left only in a flimsy gown all day.
- The Ward is not mentally stimulated and is exposed to unending television as her only contact with the world.
- Ward eats with hands: not given assistance with eating or drinking or is too weak to reach food.
- Ward is intentionally left dehydrated to avoid changing diapers.
- Ward sits in feces without changing for hours.
- Ward is not given nutritional supplements for bone loss or protein deficiency.
- Ward is seldom or not allowed to go outside for sunshine thus sickening her bones.
- Ward is not provided speech therapy or physical therapy after stroke.
- Ward is not provided with mental stimulation through activities.

- Ward has little or no contact with the outside world; held captive.
- Ward has developed bedsores for the first time.
- other

Financial Abuse and Exploitation:

- The Guardian is diverting and hoarding all assets and income to assure her fees and Attorney's will be paid in full while denying Ward the use and benefit of Ward's own assets.
- The Guardian has failed to timely pay legitimate bills of the Ward.
- The Guardian refuses to reimburse family for legitimate expenses for the Ward.
- The Guardian does not provide adequate funds for the welfare of the Ward.
- The Guardian is ignoring the Will of the ward and estate by invading assets for her own gain which were intended to be passed down intergenerationally.
- The Ward is being denied basic services including much needed
 - physical therapy
 - rehabilitation
 - emotional support and counselling
 - proper medical care
 - other:
Which she could easily afford if properly protected by the guardian.
- Instead, the Guardian is assuring that the Ward will end up penurious and on the public dole as a result of her fiduciary failure and diversion of assets to pay her fees and her Attorney's fees
- Assets are being rapidly downspent to the benefit of the Guardian and her associates and in particular are being hoarded for the purpose of paying outrageous Guardian's bills and excessive improper legal bills from the Guardian's Attorneys and others, leaving the Ward bereft of a lifetime's accumulation of assets and destitute.
- Assets are being sold off to associates of the Guardian at far below market value and then resold at great profit to the Guardian and her associates—these are overt acts of felonious self-dealing.
- Guardian is not properly filing tax returns for Ward.
- Guardian has not timely paid or collected real estate taxes/assessments/rent properly on the Ward's property.
- Guardian has failed to honor agreed upon lease agreements .
- Guardian is collecting her fees as a tax exempt entity, but denying Ward the deductions she would be entitled to on Ward's returns—IRS fraud.
- Failure to pay Ward's income taxes properly has resulted in liens against Ward's property, depleting the estate further.

- Guardian has failed as a fiduciary to properly invest assets resulting in great losses to the estate.
- Guardian has failed to maintain/repair ward's property, greatly decreasing its value.
- Guardian has seized valuable property and will not reveal its whereabouts.
- Guardian has caused to be created appraisals of real and personal property that vastly underestimate value of said property.
- Guardian has failed to provide receipts for outlays of funds.
- Guardian overbills and provides services at far above reasonable charges.
- Guardian hires and pays their family members to care for Ward.
- Guardian allows trust to be depleted.
- Guardian demands money from family members to buy back family heirlooms.
- Guardian will not replace worn items of clothing or shoes for the Ward.
- Guardian makes false entries to inflate monthly expenditures of the Ward.
- Guardian spends money on items that do not benefit the Ward and denies basic needs.
- Guardian improperly disposes of Ward's personal property and furniture.
- Guardian refuses to properly safeguard valuables.
- Guardian does not have or refuses to divulge an accurate inventory of property.
- Ward's assets have gone missing or never inventoried.
- Guardian seized funds from Banks without court order.
- Guardian has interfered with medical care plans including discharge plans to prolong lock down stays and hide the Ward from family.
- Guardian or her associates have stolen jewelry and other valuables.
- Other:

Diversion of SSA and VA benefits:

- The guardian has been/is diverting social security benefits for her own profit and not for the well-being of the ward.
- The guardian has denied the ward, who is a Veteran, both financial pension payments and medical support and assistance available to him at no charge by the VA

Legal Abuse:

- Timely or no notice of an emergency temporary guardianship was not provided.
- The statutorily required Bond for the Guardian was not obtained or presented.
- The Guardian committed fraud and perjury by alleging to the court that:

- The Court refused to consider a less drastic and invasive intervention other than Guardianship as required by Florida Statute 744.
- The Court refused to hear evidence of capacity from outside experts.
- The Ward's advance directives and health care power of attorney, properly executed by the Ward prior to any question of incapacity, were bypassed and the guardian did nothing to present or support them in court.
- There was never a mandated hearing on advance directives or Baker Act within 72 hours.
- The Probate Judge has failed to properly monitor, supervise or discipline the Guardian.
- Court documents, including transcripts, have been altered.
- Attorneys' hourly rates are excessive, double billed and fraudulent.
- Attorney bills charge exorbitant Senior Attorney rates for simple legal services which could easily be performed by paralegals.
- At depositions and hearings participation by multiple attorneys from Guardian's. Attorney's law firm took place repeatedly and unnecessarily resulting in excessive unrestrained fees to/from the estate.
- Guardian colluded with one side of family dispute to abet the legal abuse.
- Guardian failed to properly use mediation to avoid litigation.
- Guardian abused mediation process since those discussions are privileged.
- Guardian hid misdeeds under guise of privacy issues.
- Guardian blackmailed family members into signing releases.
- The Guardian and her Attorney have repeatedly staged retaliatory litigation to increase their revenue at the expense of the estate and family.
- Guardian threatened family members that any complaints about the Guardianship would lead to their never seeing their loved one again.

- Other

For these reasons, the ward is in need of emergency intervention by DCF/APS as the guardian is committing overt felonious elder abuse by repeatedly abusing her power and not acting in the best interests of the ward whose well-being and best interests she has failed to protect in violation of numerous sections of Florida Statute 744 and others.

I ask that this report in its entirety be provided to Law Enforcement and State Attorney

I ask that actions be taken that lead to the arrest and conviction of the Guardian as per statute.

Signed:

Printed Name:

Date: