



Analysis of Florida guardianships, public (non-profit) and private (for-profit)

[A White Paper by Americans Against Abusive Probate Guardianship](#)

In response to a freedom of information request Americans Against Abusive Probate Guardianship has been supplied with the following information regarding the total number of wards in public guardianships in the state of Florida. The state's Department of Elderly Affairs contracts with 17 organizations that serve all public guardianships throughout the state of Florida's 67 counties. These organizations often characterized their business as taking “ the guardianships no one wants” .

Quite frankly the numbers are shocking!

Office of Public Guardian (OPG)	Total Wards Served by OPGs in FY 2014/15
Aging Solutions	280
Barry University	220
Charlotte/Collier County	184
COA Volusia	25
Eighth Circuit	43
Fifth Circuit	86
Guardianship Care Group	Also in Dade County 74
Guardianship Program Dade Co.	1620
Lee County	160
Legal Aid Society Palm Beach	127
Office of Public Guardian	168
COA Osceola	29
Public Guardianship Indian River	6

Seniors First	105
Tenth Circuit	52
Lutheran Services of Pensacola	49
Lutheran Services of Sarasota	101

Total indigent Wards in Florida 2014-15 3329
Total number of Florida Wards **UNKNOWN**

For example in Dade County where we know from the Clerk of Courts there are 7000 active guardianships or more, only 1700 or so are public guardianships. This translates to an astonishingly high number of nonpublic for-profit professional guardianships.

Furthermore the total of only 3329 public guardianship cases in the entire state is amazing in a state where estimates of the total number of wards and state run between 50 and 100,000. If these numbers are accurate the professional fee-for-service guardianship business in Florida is enormous!

From our perspective, these data are a red flag. We have previously documented the reality of flipping wards. It's our belief that these data support the contention that wards who should be in public guardianships have been flipped into for-profit guardianships which generate far more money for guardians.

Independent information from the Summary Reporting System of the trial court's in Florida indicate through their latest data through June of 2013, for the 30 months between January 2011 and June 2013 15,709 guardianship cases were filed. For the same period of time in Miami-Dade County 2110 guardianship cases were filed. Doing the math, during the 30 month period in question, statewide there were an average of 524 guardianship cases filed per month, and in Dade County there were 70 per month.

However you analyze the data what becomes clear in his that the for-profit professional guardianship industry in Florida is far bigger than anyone imagined. The public guardianship system in Florida which consumes millions in administrative fees and salaries appears to only constitute a tiny fraction of the total number of guardianships in the state while the vast majority of guardianships have nothing to do with impoverished people who require help—the very people for whom the statutes were written!!

It appears that the guardianship industry in Florida is primarily a mechanism to take capture individuals with significant assets which become low hanging fruit for the professional guardianship industry. This easy pickings includes criminal diversion of Social Security and VA

and pension benefits and every other source of funds for the benefit of the Ward which are brazenly hijacked. Why?

Because the “industry” knows it can!! There is no discipline, no supervision or any threat of censure for the baiters who know every trick in the guardianship book, lawyer up with the most brutal and cynical “lawyers” imaginable and do with no fear that the friendly Judge who appointed them in the first place will do any semblance of oversight. The result is misery, suffering, and exploitation so cruel and methodical that it can only be called sadistic and a well-orchestrated grand perversion of the intent of the State guardianship laws.

We and our colleagues across the country will persevere to:

- Expose this racket to the public with
 - o Billboard Advertising
 - o Op Editorials
- Educate the public with
 - o Our full length video documentary “Breaking the Silence”
 - o Media appearances and debates
 - o The AAAPG website, updated daily
 - o Print sorties in premier media such as *The Wall Street Journal*
 - o Collaborative efforts with the university community in Florida and elsewhere
 - o Guardianship Prevention and Mediation programs
- Initiate and Participate in well-designed legal actions
- Pursue State based legislation advocacy
- Petition Federal Government officials to old emergency hearings on Guardianship

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