Comment: The following news stories about adult guardianship or conservatorship are being circulated by the Disability and Guardianship Project of Spectrum Institute to persons interested in guardianship and conservatorship reform. The stories are extracted from the Newsfeed of the organization’s Disability and Abuse Project. Many thanks to Debra J. Stemmler for her research and to Dr. Nora J. Baladerian for funding the Newsfeed service.

– Thomas F. Coleman, Legal Director

“Florida’s Troubled Guardian Program-Critics say Program Marred by Conflicts” - Fierle is currently under criminal investigation after it was revealed that she had filed unauthorized “do not resuscitate” orders on incapacitated clients, sparking a scandal that has embroiled Florida’s guardianship program. She has since resigned from all her cases. – Orlando Sentinel – August 2019 – (Florida) - https://is.gd/qmG3Ov

“In Wake of Scandal, Guardianship Critics Host Town Hall Meeting in Orlando” - Critics of the state’s guardianship system are hosting a town hall meeting in Orlando on Sept. 9 to discuss “Florida’s horrific guardianship abuse scandal” in the wake of the Rebecca Fierle case and announce a grassroots proposal for change. – Orlando Sentinel – August 20, 2019 – (Florida) - https://is.gd/iYmHqz

“Uptick in ‘Guardianship Cases' Leave Maryland Patients in ED’s for Months”- An increasing number of patients without guardians are staying in Maryland emergency departments for months, even though they don't require emergency care, according to The Capital Gazette. The patients often lack a legal guardian and cannot care for themselves. Many have advanced dementia or a psychiatric illness. If case managers cannot find relatives to assign as guardians, the hospital must go through the county circuit court to appoint two people: one to make care decisions and the other to make financial decisions. – Becker’s Hospital Review – August 20, 2019 – (Maryland) - https://is.gd/u3OxIk

“Local Family says Guardianship Cost Elderly Woman $123K for 3 Months of Care” - More than $123,000. That’s what a local family says a guardianship cost their elderly mother for three months of care. It was a huge chunk of her life savings. It’s the same guardianship company that 7 Investigator Heather Catallo exposed back in May when they were accused of cutting off family contact with an elderly couple. – WXYZ – August 13, 2019 – (Michigan) - https://is.gd/UWvvhN
“Congress Attacks Elder Guardianship Abuse after Criminal Investigation” - Plaintiffs in states, including Texas, Florida, Michigan and Ohio, have increasingly cried afoul in recent years and as a result U.S. Representatives Darren Soto, Charlie Crist and Gus Bilirakis of Florida as well as Debbie Dingell of Michigan re-introduced HR 4174 on Aug. 7 to assist states in guardianship oversight. – SE Texas Record – August 12, 2019 – (National) - https://is.gd/Zl0YiZ

“Guardianship Often Fails Poor Seniors. Is There a Different Way?” - The Vera Institute’s The Guardianship Project (TGP) is trying to get courts and communities to reimagine guardianship, both through research and advocacy and through running its own guardianship model, which now serves about 180 people across New York, including Cassidy. On a national level, TGP’s research on guardianship programs in several states suggests the system is letting many seniors fall through the cracks: - Truth Out – August 16, 2019 – (National) - https://is.gd/kUGacv

“New Guardianship Regulations Increase Accountability” - The Guardianship Tracking System, or GTS, allows county officials to better track if guardians complied with state law that mandates they file reports listing their ward’s assets and expenses within 90 days of their appointment and annually thereafter. – The Citizen’s Voice – August 12, 2019 – (Pennsylvania) - https://is.gd/7KcBEI

“Florida Tried to Fix Guardianship System. Rebecca Fierle Case Reveals it’s Still Broken, Critics Say | Exclusive” - When Florida lawmakers reformed guardianship rules in 2016 — vowing to protect the state’s most vulnerable residents from what one legislator called “cockroaches” who find gaps in the law — advocates for the elderly and intellectually disabled celebrated. “We will not tolerate the exploitation of Floridians in the guardianship system that was established to help them,” said Carol Berkowitz, who became executive director of the state’s revamped guardianship watchdog agency, the Office of Public and Professional Guardians. – Orlando Sentinel – August 8, 2019 – (Florida) - https://is.gd/Er5On0

“Darren Soto, Gus Bilirakis, Charlie Crist File Bill to Tighten Guardianships” - Following an alarming congressional report and a series of stories investigated by the Orlando Sentinel, a bipartisan trio of Florida lawmakers, Darren Soto, Gus Bilirakis, and Charlie Crist, announced Wednesday they filed a bill to tighten protections for mostly-disabled, mostly-elderly people under control of legal guardians. – Florida Politics – August 7, 2019 – (Florida) - https://is.gd/U0hjse

“Arc of Madison Cortland Wins NYSARC Grant for Lifelong Guardianship Program” - The Arc of Madison Cortland was recently awarded a grant from NYSARC Trust services to support the agency’s guardianship program, which makes lifelong commitments to people who have no one else to advocate on their behalf. – WXHC – August 5, 2019 – (New York) - https://www.wxhc.com/?p=56206
“This Tri-Cities Lawyer Committed ‘Financial Exploitation’ With an Elderly Client. He’s Been Suspended” - A longtime Kennewick lawyer is suspended for three years for misconduct stemming from a guardianship case that started in 2013. John C. Bolliger was found to have violated several Rules of Professional Conduct when he continued to represent a dementia-stricken man, even after a judge appointed a different attorney and ordered Bolliger to stay away from the case. – Insurance News Net – July 31, 2019 – (Washington) - https://is.gd/qLvpOE

“They’ve Killed Her” – Retired Alabama Schoolteacher Dies under State Guardianship – Elderly woman forced into hospice care; daughter prohibited from visiting in her final days.  Real News Spark – August 29, 2019 – (Alabama) Click here

“Guardianship” Often Fails Poor Seniors. Is There a Different Way? Lack of regulation and potential for abuse make many elder care advocates wary of the guardianship model. – Truthout – August 16, 2019 – Click here

Opinion: New York State’s Escalating Need for High-Quality Guardianship. ‘Currently, guardianship in New York is comprised of a fractured network of providers ranging from Adult Protective Services, non-profits, and court-appointed lawyers.’ – City Limits – August 26, 2019 – (New York) – Click here.

Congress Attacks Elder Guardianship Abuse After Criminal Investigation – HR 4174 comes on the heels of a criminal investigation in Florida of court appointed guardian Rebecca Fierle who resigned last month. The House bill is identical to the Guardianship Accountability Act, which is pending in the Senate Judiciary Committee. – SE Texas Record – August 12, 2019 – (TEXAS) Click here.

Governor Vows to Stop Guardianship Abuse. Governor speaks to the New Mexico Conference on Aging. – August 13, 2019 – (New Mexico) Click here.


State confirms mass resignations at Florida watchdog office overseeing guardianship abuse. Seven staff members resign, leaving only four. – ABC Action News – August 9, 2019 – (Florida) – Click here.