OUR MISSION

To ensure that every Floridian who requires the services of a guardian has access to a qualified guardian.

Guardianship in Florida

Generally, there are three types of guardians in Florida. If a court determines a person needs a guardian and that person has family or friends who can serve, then the court may appoint that family member or friend. These people are considered non-professional guardians. If the incapacitated person does not have a loved one who can and will serve, but they have assets, the court may appoint a professional guardian to be paid from the person’s assets. If the incapacitated person does not have family or friends and is of limited financial means, then the court may appoint a public guardian, if available.
The Florida Legislature charged the Statewide Public Guardian Office (SPGO) with the two important responsibilities of overseeing the registration of all professional guardians in Florida, as well as the appointment and monitoring of all public guardians across the state. SPGO has worked diligently this year to perform these legislative duties and fulfill its mission. In 2013, SPGO expanded its public guardian programs, making history in Florida by accomplishing statewide public guardianship coverage for the first time. SPGO also improved the registration process of professional guardians by focusing on education and improved communications. Finally, SPGO strengthened the monitoring of public guardian programs and revitalized the relationship with its direct support organization, the Foundation for Indigent Guardianship, Inc.

The need for public guardianship services was initially recognized by the Florida Legislature in 1999, when they enacted the Public Guardianship provisions of Chapter 744 of Florida Statues. The need for public guardianship programs continues today, and with the surge of the baby boomers turning 65, it is estimated that Florida’s current elder population of more than 4.7 million will double by the year 2030. As life expectancy continues to rise, the number of incapacitated elders will also increase, escalating the demand for involuntary guardianship. The 2013 year was a very exciting time for the Statewide Public Guardianship Office. In recognition of its legislative mandate and Florida’s future demographic challenge, the Statewide Public Guardian Office (SPGO) took action in accordance with its mission to ensure that every Floridian who requires the services of a guardian has access to a qualified guardian. These actions included an expansion of the program to establish comprehensive statewide public guardianship.

In January 2013, only 27 counties in Florida had public guardianship program coverage. After much hard work, by December 2013, all of Florida’s 67 counties were served by a public guardian program. SPGO utilized limited available funding sources, including funds from the Foundation for Indigent Guardianship, Inc., to establish a start-up network of new public programs. As a result of the commitment and dedication of these public guardian programs, there is now a statewide network of coverage to protect vulnerable seniors. In 2014, SPGO plans to seek ways to support adequate recurring funding for public guardian programs. A focus will be to publicize how the public guardian programs actually represent an overall savings to the State of Florida, due to their activities on behalf of wards, including arranging for discharges of wards to appropriate placements, as documented in the 2009 University of Kentucky Study prepared for the Department of Elder Affairs.

In 2013, in an effort to improve, SPGO implemented internal registration procedures that focused on best practices for the registration of professional guardians.
guardians. One success of the new procedures is the significantly reduced processing time for professional guardian registrations and enhanced customer communication by use of electronic media. Additionally, SPGO streamlined the educational component for professional guardians and created an audio CD containing a summary outlining registration steps for professional guardians, as well as making a live presentation at the FSGA conference in July of 2013. Finally, SPGO focused on providing clear and uniform directions to professional guardian course providers for continuing education courses.

In 2013, SPGO focused on its public guardian program monitoring responsibilities and revised the public guardian contract to include a formula for cost-per-ward of guardianship service to promote greater transparency. Also, SPGO implemented an annual schedule for the monitoring of public guardian programs. SPGO improved the existing monitoring tool by creating worksheets that document work product. Additionally, SPGO incorporated use of the EMS database to prepare for monitoring visits and to review program reports. Finally, SPGO increased the number of ward and facility visits made for each program to best insure the appropriate provision of guardianship services.

In 2013, SPGO worked closely with the Direct Support Organization, the Foundation for Indigent Guardianship, Inc., to provide support for existing public guardian program and to establish new programs. Awards totaling approximately $200,000.00 were made by FIG, from the FIG Pooled Special Needs Trust. In addition, Secretary Charles T. Corley appointed three new FIG Board Members. FIG’s participation made possible SPGO’s First Annual Public Guardian Program Recognition Awards held at the Florida State Guardianship Association Conference in July of 2013. The FIG Board Members made significant generous contributions of their time in support of public guardianship, and their efforts were greatly appreciated.

The 2013 year was a historic time for the Statewide Public Guardianship Office, and we are so proud to have established for the first time in Florida a network of public guardian programs that cover every county in the state. SPGO looks forward to our continued collaboration to support these programs and to meeting our professional guardian registration responsibilities. We appreciate Governor Rick Scott and Secretary Charles T. Corley, whose support and commitment to guardianship issues has enabled us to continue our work in protecting the most vulnerable citizens.

Teresa S. Goodson, Esquire
Executive Director
Background

The Statewide Public Guardianship Office was established in 1999, and since 2004, it has been administratively housed within the Department of Elder Affairs. The office is responsible for the registration of professional guardians and the appointment and oversight of public guardians. In 2013, the Statewide Public Guardianship Office reached an historic milestone when it secured, for the first time, public guardianship programs in every county in Florida. These programs include a network of start-up programs, which will serve as the foundation for obtaining statewide public guardianship funding.

Guardians serve as surrogate decision makers for elders who have been deemed incapacitated by the court and can no longer manage their personal and/or financial affairs. An individual's incapacity may be caused by accident or illness, or it may be aging-related. As the elderly population increases, the need for guardianship services is likely to rise.

Goals & Objectives

The goals and objectives of the Statewide Public Guardianship Office include the following:

1. Support statewide public guardianship programs by obtaining recurring funding;
2. Provide efficient and uniform procedures for registration of professional guardians in Florida; and
3. Strengthen the monitoring of public guardianship programs by implementing annual monitoring of each public guardian program and electronically maintaining public guardianship statistics as part of the monitoring responsibility.

The Statewide Public Guardianship Office continues to work toward meeting these goals, and its progress is discussed throughout this report.

In 2003, there were 23 registered professional guardians in Florida. Today there are more than 400 registered professional guardians.
Funding

The Statewide Public Guardianship Office seeks to secure a permanent funding source to maintain its current programs and expand operations throughout the state. In 2009, the University of Kentucky completed a study of Florida’s public guardian programs that served 20 Florida counties. This study found that the programs saved the State of Florida approximately $1.8 million each year and recommended the expansion of public guardianship to all 67 Florida counties. In 2013, this recommendation was implemented. After much hard work, SPGO has appointed public guardianship programs in every county, and the office will work with the Foundation for Indigent Guardianship, Inc. (FIG) and private partners to support recurring funding for these programs.

Public Guardian Database Project

The Statewide Public Guardianship Office issued a Request for Proposals (RFP) for an all-inclusive new client management database. In early 2012, the contract was awarded to SEM Applications, Inc., who offered an off-the-shelf client management system, Estate Management System (EMS). The system was then modified to meet the needs of the Statewide Public Guardianship Office and was implemented for most public guardian offices effective July 1, 2012. The new database provides increased efficiencies for the individual public guardian programs, as well as the Statewide Public Guardianship Office. The system allows for the automation of some data for the Statewide Public Guardianship Office, giving it better access to perform planning and forecasting functions. Reports that previously required manual tabulation will now be automated, saving time for both the contractor and the Statewide Public Guardianship Office. The automation also improves the process of contract monitoring by allowing office staff to view information on clients that could not previously be accessed until onsite at the contractors’ offices. This efficiency will allow the Statewide Public Guardianship Office to save time and expense on monitoring. The new system provides the public guardians a comprehensive and robust client management suite that is intended to assist them in managing their clientele.

Professional Guardian Education

In 2013, SPGO focused on providing clear and uniform directions to course providers of continuing education courses for professional guardians. This included the creation of an audio CD containing information on how to successfully

Public guardians assist with the hospital discharge of approximately 2,000 Floridians per year.
submit and receive approval for professional guardian continuing education courses, as well as making a live presentation at the Florida State Guardianship Association (FSGA) conference in July of 2013. SPGO reviewed over 200 continuing education courses during 2013 to ensure professional guardians had access to meaningful continuing education.

Public guardians save Florida taxpayers $1.8 million annually.\(^3\)

**Legislative Session**

In the 2013 Florida Legislative Session, there was an award to the Statewide Public Guardianship Office, for a new OPS position to assist with public guardian program monitoring duties. The timely award of this position has been essential in assisting SPGO in the monitoring responsibilities of the new expanded statewide programs. There was also an award for updating the professional guardianship education course which is also an important part of SPGO’s registration responsibilities.

**National Guardianship Month**

Once again, Florida celebrated National Guardianship Month during October. In recognition of the efforts of Florida’s guardians, Governor Scott issued a proclamation recognizing the hard work of family, professional, and public guardians in Florida.

Guardians are responsible for their wards 24 hours a day, seven days a week; without them, many needy Floridians would simply be unable to maintain even the most basic quality of life. Secretary Charles T. Corley, recognizing the hard work of guardians, stated, “Without guardians looking out for their interests, some of Florida’s most vulnerable seniors would be easy prey for those who would take advantage of them. All Floridians should take comfort in knowing that someone is looking out for the interests of these citizens in their time of need.”

\(^3\) Teaster, P., the Florida Public Guardian Programs: An Evaluation of Program Status and Outcomes, Report for the Florida Department of Elder Affairs Statewide Public Guardianship Office, August 2009.
The Statewide Public Guardianship Office extends its sincerest appreciation to all guardians in Florida.

**FLORIDA GUARDIANSHIP MONTH**

**WHEREAS,** Florida is home to more than 4.7 million seniors and 4.1 million residents with disabilities; and

**WHEREAS,** older Floridians and those with disabilities have needs requiring special attention and knowledge; and

**WHEREAS,** guardians provide an important voice for Florida’s most vulnerable populations; and

**WHEREAS,** guardians annually devote millions of hours ensuring the needs of their wards are met; and

**WHEREAS,** hundreds of public and professional guardians and thousands of family guardians in Florida provide vital services to our citizens;

**NOW, THEREFORE,** I, Rick Scott, Governor of the State of Florida, do hereby extend greetings and best wishes to all observing October 2013 as Florida Guardianship Month.

In addition to issuing the proclamation of Florida Guardianship Month in October of 2013, Governor Scott also awarded Catherine Ackerman, Director of the Fifth Circuit Public Guardian Program, the Volunteer Champion of Service Award during a Florida Cabinet meeting. Ms. Ackerman was recognized for her exemplary provision of pro bono guardianship services for her program.
The Foundation for Indigent Guardianship, Inc., is the direct support organization for the Statewide Public Guardianship Office. The foundation’s sole purpose is to raise monies to assist with public guardianship in Florida. The foundation’s first project was establishing the Florida Public Guardianship Pooled Special Needs Trust. The unique benefit to this special needs pooled trust is that the retained monies will be used to fund public guardianship in Florida. Since the trust’s inception, the Foundation has provided more than $800,000 to public guardianship programs.

This year, the Foundation for Indigent Guardianship played a critical role in the expansion of SPGO by providing funding for public guardian programs, which enabled them to expand their services into additional counties. Because of this expansion, SPGO has successfully obtained representation in every county of the state.

The Foundation for Indigent Guardianship, Inc., has raised over $800,000 for public guardianship programs in Florida.

Performance Measures & Standards Report

While we are proud of our historic accomplishments in acquiring statewide guardianship coverage, there remains an increasing need for guardianship services for many vulnerable Floridians. However, due to new programs being established this year, it is anticipated that overall public guardian programs provision of services will increase. Accordingly, it is hoped that recurring funding will be achieved in subsequent years to meet this need.
**Strategic Goals, Objectives, & Performance Measures**

**STRATEGIC GOAL** To ensure every Floridian receiving the services of a public guardian receives quality care and service.

**OBJECTIVE** To timely process and prioritize all referrals based on the immediate needs of the Alleged Incapacitated Person (AIP).

<table>
<thead>
<tr>
<th></th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of total referrals received.</td>
<td>951</td>
<td>751</td>
<td>594</td>
<td>607</td>
<td>515</td>
<td>803</td>
</tr>
<tr>
<td>Number of those referrals that met the criteria for OPG.</td>
<td>524</td>
<td>551</td>
<td>445</td>
<td>458</td>
<td>413</td>
<td>659</td>
</tr>
<tr>
<td>Number of eligible referrals placed on a waiting list.</td>
<td>293</td>
<td>439</td>
<td>376</td>
<td>343</td>
<td>300</td>
<td>351</td>
</tr>
<tr>
<td>Percent of referrals in which activity was initiated by OPG within five (5) days.</td>
<td>98.3%</td>
<td>100%</td>
<td>99%</td>
<td>99%</td>
<td>99%</td>
<td>100%</td>
</tr>
</tbody>
</table>

**OBJECTIVE** To provide the ward the opportunity to have a qualified family member or friend serve as his or her guardian.

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<thead>
<tr>
<th></th>
<th>2008</th>
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<th>2010</th>
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<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of cases appointed to OPG during the fiscal year.</td>
<td>570</td>
<td>584</td>
<td>464</td>
<td>480</td>
<td>375</td>
<td>445</td>
</tr>
<tr>
<td>Number of wards with a qualified family or friend to serve as the guardian.</td>
<td>21</td>
<td>23</td>
<td>33</td>
<td>27</td>
<td>13</td>
<td>19</td>
</tr>
<tr>
<td>Number of petitions filed to appoint a family member or friend to serve as the guardian.</td>
<td>21</td>
<td>20</td>
<td>32</td>
<td>26</td>
<td>11</td>
<td>19</td>
</tr>
<tr>
<td>Number of orders granting appointment of family member or friend to serve as successor guardian.</td>
<td>21</td>
<td>21</td>
<td>29</td>
<td>25</td>
<td>12</td>
<td>19</td>
</tr>
</tbody>
</table>
**OBJECTIVE**  To conduct evaluations to determine whether a ward is able to have his or her rights restored.

<table>
<thead>
<tr>
<th></th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
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</thead>
<tbody>
<tr>
<td>Number of wards evaluated for restoration of rights.</td>
<td>548</td>
<td>2,284</td>
<td>1,002</td>
<td>2,574</td>
<td>906</td>
<td>1,041</td>
</tr>
<tr>
<td>Number of Petitions for Restoration filed.</td>
<td>38</td>
<td>43</td>
<td>32</td>
<td>36</td>
<td>42</td>
<td>29</td>
</tr>
<tr>
<td>Number of Petitions for Restoration approved by the court.</td>
<td>24</td>
<td>10</td>
<td>21</td>
<td>22</td>
<td>20</td>
<td>24</td>
</tr>
<tr>
<td>Number of wards served during the previous fiscal year.</td>
<td>2,544</td>
<td>2,598</td>
<td>2,622</td>
<td>2,667</td>
<td>2,650</td>
<td>2,885</td>
</tr>
</tbody>
</table>

For the following items, please place ward in only one category.*

| Number of wards visited four (4) times per year. | 640  | 631  | 524  | 91   | 264  | 640  |
| Number of wards visited more than four (4) times per year. | 340  | 1,711| 1,465| 685  | 1,765| 643  |
| Number of wards visited one (1) time per month.     | 1,377| 1,859| 1,575| 1,658| 1,524| 1,600|
| Number of wards visited one (1) time per week.      | 18   | 48   | 32   | 7    | 3    | 2    |

Numbers may not equal annual totals. This is usually attributed to a restoration of rights, death of a ward, or date the public guardian was appointed.
Florida’s Public Guardians

Aging Solutions
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The Public Guardianship Program of Indian River, Inc.
Indian River County
Canda Brown, Esq.
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Florida’s 17 public guardian offices provide services to 67 counties.
For additional information, please contact the Statewide Public Guardianship Office at:

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