

# Escaping Guardianship: The Case of Janice Garwood

## Short Answer Questions

**Instructions:** Answer the following questions in 2-3 sentences.

1. What initial event led to Janice Garwood being placed under guardianship?
2. What methods did Garwood use to communicate with the outside world while in the locked dementia unit?
3. Who was Rebecca Fierle and what was her role in Garwood's case?
4. Describe one specific instance of financial exploitation that Garwood experienced under guardianship.
5. What role did Hillary Hogue play in Garwood's journey to regain her rights?
6. What was the outcome of the doctor's re-evaluation of Garwood's mental capacity?
7. Despite regaining her freedom, what significant financial challenges did Garwood face?
8. What happened to the personal belongings from Garwood's home after it was sold?
9. Identify two violations committed by Denise Willis that were uncovered by investigations.
10. What is Garwood's perspective on her ordeal and its potential impact on others?

## Short Answer Key

1. Garwood was injured in a car accident while grieving the loss of her son, leading a judge to rule she was incapable of caring for herself.
2. Garwood used a secret cell phone smuggled in by her son to communicate via Facebook and Facetime.
3. Rebecca Fierle was Garwood's first court-appointed guardian, later resigning amidst allegations of abuse and facing felony charges.
4. Garwood's home was sold significantly below market value to an employee of the assisted living facility where she resided, a transaction approved by her guardian.
5. Hillary Hogue, a guardianship reform advocate, connected Garwood with an attorney who helped initiate the process of restoring her rights.
6. The doctor's re-evaluation found Garwood to be mentally competent, capable of managing her personal, medical, and financial affairs.
7. Garwood was left with only her Social Security income, as her guardian had depleted her assets and placed the proceeds from her home sale in a trust she couldn't access.
8. The majority of Garwood's belongings were lost or unaccounted for after the sale of her home, with only a few items salvaged by her son.
9. Investigations found that Willis sold Garwood's car undervalue, failed to account for her Social Security income, and deposited funds without court approval.
10. Garwood believes her experience was meant to be shared to raise awareness about guardianship abuse and prevent others from suffering a similar fate.

## Essay Questions

1. Analyze the systemic vulnerabilities within Florida's guardianship system that allowed for the exploitation experienced by Janice Garwood.
2. Discuss the ethical implications of selling a ward's property below market value to individuals connected to the guardian.
3. Evaluate the role of social media and advocacy groups in bringing attention to guardianship abuse and facilitating Garwood's escape.
4. Explore the long-term consequences of guardianship on individuals, even after their rights are restored, with specific reference to Garwood's situation.

5. Propose reforms to the guardianship system aimed at preventing future abuses and ensuring the protection of vulnerable individuals.

## Glossary of Key Terms

- **Guardianship:** A legal process where a court appoints an individual or organization to make personal, medical, and/or financial decisions for another person deemed incapable of managing their own affairs.
- **Ward:** The individual subject to guardianship, considered legally incapacitated.
- **Guardian:** The person or entity appointed by the court to act on behalf of the ward.
- **Professional Guardian:** A person or corporation that serves as guardian for multiple individuals, often for a fee.
- **Exploitation:** Taking unfair advantage of someone for personal gain, often involving financial or emotional manipulation.
- **Capacity:** The legal and mental ability to understand and make decisions about one's own life.
- **Special Needs Trust:** A legal arrangement designed to hold and manage assets for a beneficiary with disabilities while preserving eligibility for government benefits.
- **Seminole County Inspector General:** An independent office responsible for investigating allegations of fraud, waste, and abuse within Seminole County government.
- **Florida Office of Public and Professional Guardians:** A state agency responsible for regulating and overseeing professional guardians in Florida.
- **Revoke Registration:** To cancel or withdraw a professional guardian's authorization to operate within the state.