

FAQ: Escaping Florida's Guardianship System

1. What is guardianship and how did Jan Garwood end up in this system?

Guardianship is a legal process where a court appoints someone to make personal, medical, and/or financial decisions for an individual deemed incapable of doing so themselves. Jan Garwood was placed under guardianship in 2017 after a car accident while grieving the loss of her son. A judge determined she was incapable of caring for herself, stripping her of her rights and control over her assets.

2. What were some of the challenges Jan Garwood faced under guardianship?

Jan experienced significant losses and restrictions under guardianship. She lost her home, car, and control over her finances. Her appointed guardian, Rebecca Fierle, later resigned amid allegations of neglect and was charged with felonies related to the death of another ward. A subsequent guardian, Denise Willis, sold Garwood's home significantly below market value and deposited the proceeds into a trust Garwood couldn't access.

3. How did Jan Garwood escape guardianship?

While in a locked dementia unit, Garwood used a smuggled cell phone to contact the outside world. Her plea on Facebook reached guardianship reform advocate Hillary Hogue, who connected her with attorney Vito Roppo. Roppo requested a new evaluation, which found Garwood fully capable of managing her affairs. This led to the court restoring her rights.

4. What happened to Jan Garwood's assets under guardianship?

The majority of Jan's assets were depleted under guardianship. Her home was sold for significantly less than its value, and a portion of her Social Security income remains unaccounted for. Although proceeds from the home sale were placed in a special needs trust, Jan is unable to directly access these funds.

5. What actions were taken against the guardians involved in Jan Garwood's case?

Rebecca Fierle, the initial guardian, resigned from all her cases and faces felony charges related to the death of a ward under her care. Denise Willis, the subsequent guardian, is under investigation for multiple violations including financial mismanagement, failure to visit wards, and missing personal property. Her registration as a professional guardian has been revoked.

6. What challenges does Jan Garwood face now that she is out of guardianship?

Despite regaining her freedom, Jan is rebuilding her life with limited resources. She relies solely on her Social Security income and lives in a modest apartment furnished with secondhand items. She has no access to the remaining funds from the sale of her home.

7. What is being done to address the issues within Florida's guardianship system?

Jan Garwood's case highlights systemic issues within Florida's guardianship system. The investigations into her guardians' actions and the subsequent revocation of their registrations demonstrate efforts to hold those responsible accountable. Advocates continue to push for reforms to protect the rights and well-being of individuals under guardianship.

8. What message does Jan Garwood want to share with others?

Despite her ordeal, Jan remains optimistic and determined to help others avoid similar experiences. She believes her story can serve as a warning and inspire change within the guardianship system to prevent future exploitation and protect vulnerable individuals.