



# Florida guardianship reform passes; seniors protest at courthouse

## HEALTH

By **John Pacenti** - Palm Beach Post Staff Writer



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In the wake of numerous reports of abuse of incapacitated seniors by court-appointed professional guardians, the Florida House on Wednesday **sent a bill** to Gov. Rick Scott that for the first time would exert regulatory authority over a burgeoning industry that some critics dub “elder cleansing.”

On the same day, protesters marched outside of the Palm Beach County Courthouse in Delray Beach, calling for judicial reform.

The Legislature’s action follows media reports about professional guardians more

interested in draining the savings of incapacitated seniors through fees for themselves and the cadre of elder law attorneys who represent them. The Palm Beach Post's series [Guardianship: A Broken Trust in January](#) brought to public attention the role of the judiciary in guardianship of the elderly — many with dementia — who no longer can care for themselves.

As a result, Palm Beach County Chief Circuit Judge Jeffrey Colbath transferred [Circuit Judge Martin Colin](#) out of the Probate & Guardianship Division. Colin's wife, Elizabeth "Betsy" Savitt, works as a professional guardian, [compiling complaints from families](#) of taking tens of thousands of dollars in fees without court approval. The chief judge required the south county judges to recuse themselves from her cases.

Under guardianships, seniors found by the court to be incapacitated often lose all legal rights to make decisions for themselves. When a family member is not available or they can't agree on what to do, a judge can appoint professional guardians to make decisions on finances, medical care and housing for the senior.



Sheila Jaffe (left) and Natalie Andre (right), President of FACTS (Families Against Court Travesties), protest with a group of people about ... [Read More](#)

## Power to discipline

The legislation creates an Office of Public and Professional Guardians and for the

first time requires standard practices and rules for professional guardians be created. It also gives the office enforcement power, including the ability to revoke a guardian's registration.

Anybody can become a professional guardian with such vast powers over a senior's life simply by going through a credit and criminal background check and 40 hours of training. The ranks of these professionals have risen from 108 in 2003 to 457 last year, according to the Department of Elder Affairs.



Elizabeth "Betsy" Savitt, Judge Colin's wife and a professional guardian

Guardianship reform started last year when lawmakers, among other changes, imposed criminal penalties for exploitation or abuse.

Rep. Mark Pafford, D-West Palm Beach, said problems with court-appointed professional guardians in Florida have been festering for decades and the new law will provide incapacitated adults a level of trust.

“Hopefully when this is in place over the next couple of years, it can be improved to provide the best oversight or security for people who may be in a very delicate spot,” Pafford said.



Circuit Judge Martin Colin

**The bill**, which passed the Senate on Feb. 2, has received support from advocate group Americans Against Abusive Probate Guardianship, Gov. Rick Scott and the Florida State Guardianship Association. Lawmakers appropriated more than \$820,000 to fund it.

Lidya Abramovici, a co-founder of the advocate organization, hailed the bill's sponsor, Sen. Nancy Detert, R-Venice.

“Now Florida is leading the push for reform in order to stop elderly abuse,” Abramovici said. “So many retirees that come to Florida need to feel safe that their estates are not going to dissipate in the hands of unscrupulous guardians and their representatives. At the same time, parents will not be separated from their families.”

But Abramovici added that real reform will happen only when people committing a crime are prosecuted for financial abuse of the elderly.

That was the same message of nearly 20 protesters — many of them seniors — in front of the Palm Beach County Courthouse in Delray Beach on Wednesday.

Carrying signs that said “Jail 4 Judges” and “Guardianship is Big Business,” the protest was organized by Families Against Court Travesties’ Court Watch, which plans similar protests at the other two county courthouses. They handed out a flyer headed “Corruption, collusion and cronyism in PBC Courts.”

The group included individuals protesting Colin and his wife, Savitt, who were featured in The Post’s series. Others had scarves over their faces because they said they have cases in front of Circuit Judge David French. French is a friend of Colin’s who was also featured in The Post’s investigative series.

“I think it is about time that it is being exposed,” protester Gloria Stein said. “I’ve

sat in many a courtroom and seen the judges just sign every paper for every request for every appointed professional for fees. No questions. It's all about the money and the families sit there and cry because everything is out of their hands."

Nearby protester Eliot Bernstein said senior citizens should think twice before retiring to Florida because of predatory professional guardians.

"This is going to take federal intervention," he said. "When there is this much money and profit in elder cleansing, in a state like this, it is going to take a lot more, like people going to go to jail."

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### **What The Post Found**

The savings of incapacitated seniors flow into the household of Palm Beach County Circuit Judge Martin Colin.

courtesy of Colin's wife — professional guardian Elizabeth "Betsy" Savitt. Fees in most of her cases were approved by another judge who is a friend of her husband's. Colin approved the fees of her lawyers in other cases.

[www.mypalmbeachpost.com/guardianships-colin-savitt/](http://www.mypalmbeachpost.com/guardianships-colin-savitt/)



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<http://tedbernsteinreport.blogspot.com/>

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**gethefax** 1 day ago

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**Lawlib** 1 day ago

These articles are getting a little ridiculous. The only judges constantly picked on are French and Colin, and the Chief Judge has kept French in the guardianship division, Colin is in the Civil division and retiring and the articles interestly do not report that either French or Colin have been found to have committed misconduct. The only professional guardian named over and over again is Betsy Savitt and although she also has not been found to have done wrongdoing, she is still convicted by the Post based on "accusations by families". How do you say "personal vendetta" by the reporter. No

wonder the Post is viewed in such disrepute in so many circles.

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**Eliot Bernstein** 3 minutes ago

**@Lawlib** Obviously you have not looked at the cases of those protesting and they are against a host of judges, guardians and attorneys and most are claiming their loved ones are being tortured and murdered while their families are bled in legal bills and thefts of properties. May I ask, are you a lawyer? Eliot Bernstein

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