

Florida Professional Guardianship Information: 2025

Report 25-05

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OPPAGA

Office of Program Policy Analysis and Government Accountability

Florida Professional Guardianship Information: 2025

EXECUTIVE SUMMARY

Guardianship is a judicial process to protect and exercise the legal rights of individuals (known as wards) facing functional limitations that prevent them from being able to make their own decisions. Typical guardian activities include health care monitoring and decision-making; paying living expenses for the ward out of the ward’s assets; investing the ward’s assets; and changing the ward’s property ownership interests. Because adults placed under guardianship lose many of their basic civil rights—such as the ability to decide what medical care to receive, how to spend money, and where to live—guardianship is considered an option of last resort.

In Florida, a professional guardian is a guardian who has at any time rendered services to three or more wards. Professional guardians must be registered by the Department of Elder Affairs’ Office of Public and Professional Guardians (OPPG). OPPG oversees the registration and discipline of professional guardians.

In response to media reports of guardians mistreating wards and at the urging of several clerks of court, the Guardianship Improvement Task Force was formed and made several recommendations. The Legislature has since taken steps to improve guardianship data and court oversight of guardianship cases. These steps include requiring the Florida Clerks of Court Operations Corporation (CCOC) to create a database of statewide guardianship information for judges and clerks and to develop a publicly accessible website. CCOC entered into a contract with Cloud Navigator, Inc., in January 2023 to create the Florida Guardianship Data Transparency System (FLGDT).

OPPAGA found FLGDT to be operational but incomplete. Clerks implemented approaches proposed by CCOC to capture missing data elements, but the absence of a unique identifier that links individual guardians to their cases continues to inhibit accurate reporting of guardianship data. CCOC is aware of this issue and first shared it with OPPAGA in 2024. Further, while stakeholders support the collection of statewide guardianship data, some expressed concern about data accuracy.

REPORT SCOPE

Section 744.2112(5)(b), *Florida Statutes*, directs OPPAGA to analyze data compiled in the statewide database of guardian and guardianship case information established by the Florida Clerks of Court Operations Corporation and the clerks of court. OPPAGA is to use data from the database to analyze trends in the use of guardianships in Florida and to conduct a comparative analysis of guardianship laws in other states. This is the second report in a series of four reports. OPPAGA’s future reports will provide updates on database implementation and will use the database to more comprehensively examine guardianship trends.

Data extracted from FLGDT included 6,478 active professional guardianship cases in the state—most of which are concentrated in populous Southeast and Central Florida counties. The status of statutorily required reports and submissions is unavailable for many cases; disciplinary history data is also limited. In the absence of a unique identifier linking specific registered professional guardians to active professional guardianship cases in FLGDT data, OPPAGA was only able to identify the specific professional guardian in 56% of active cases with a professional guardian. OPPAGA used this subset of cases to generate professional guardian caseload statistics; however, accurate caseload statistics for all professional guardians cannot be calculated without a unique identifier. Cases in the analysis subset typically involve a single guardian, and most guardians in OPPAGA's analysis are appointed to 10 or fewer cases. However, 40% of wards are served by a guardian with more than 30 cases. Active caseloads for professional guardians ranged from 1 ward to an outlier of 275 wards for one guardian.

OPPAGA interviewed officials from four states identified as leaders in guardian oversight by staff at the National Center for State Courts—Minnesota, Nevada, New Mexico, and Pennsylvania. As in Florida, high-profile cases of guardian fraud or abuse were a common impetus for enhanced oversight in other states. Officials emphasized the importance of collecting accurate, statewide guardianship data, and reported that data cleanup is a challenging step in that process. Both Pennsylvania and Minnesota created statewide guardianship portals that allow guardians to enter required reports online and allow court staff to monitor and oversee guardians' activities. Nevada is currently developing a statewide portal, and New Mexico collects statewide guardianship data using unique status codes in its existing case management system.

BACKGROUND

Guardianship is a judicial process to protect and exercise the legal rights of individuals facing limitations that prevent them from making their own decisions. Various individuals may need guardianship, such as those with dementia, Alzheimer's disease, developmental disabilities, chronic illness, or any condition that limits the ability to make decisions. In Florida, any adult can file a petition with the court to determine if someone is incapacitated. If the court determines that someone is incapacitated, it will issue an order detailing what rights are removed from the incapacitated person, who is now a ward. The court will appoint one or more people to serve as guardians.

Guardians can only exercise the powers granted by the court, and guardianships may be limited or plenary.¹ Typical guardian activities include health care monitoring and decision-making; paying living expenses for the ward out of the ward's assets; investing the ward's assets; and changing the ward's property ownership interests. Some tasks performed by guardians require prior court approval.

Because adults placed under guardianship lose many of their basic civil rights—such as the ability to decide what medical treatment to receive, how to spend money, and where to live—guardianship is considered an option of last resort. After a guardian is appointed, the clerk of court and the court monitor the performance of the guardian's duties. Monitoring includes, but is not limited to, reviews of statutorily required reports submitted by guardians, such as required expenditure reports of the ward's assets. Although most guardians may perform their duties appropriately, there have been instances of abuse or mismanagement of funds. As a result, many states have taken steps to improve the quality of guardianship and prevent abuses.

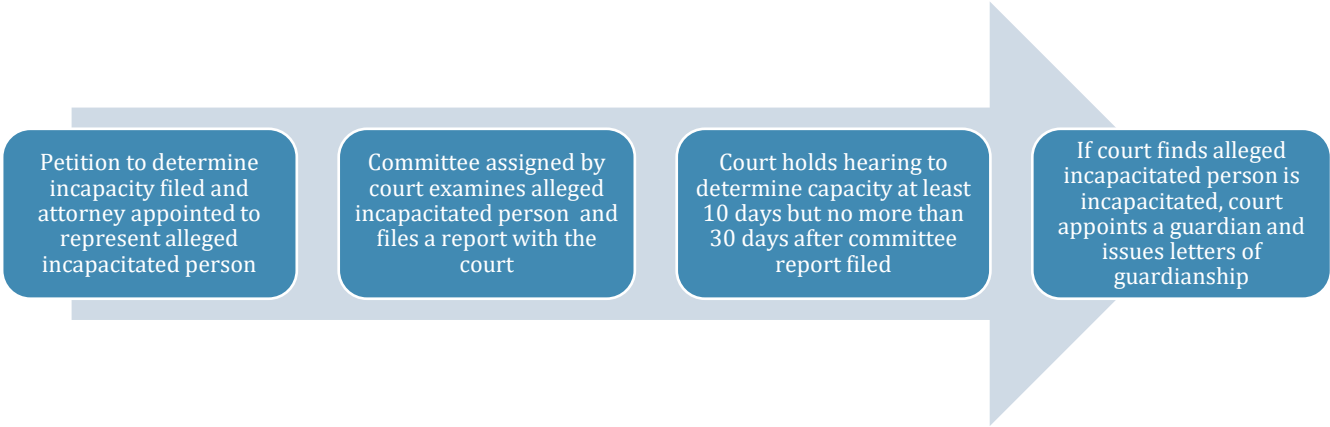
Florida courts appoint guardians in response to petitions

The guardianship process involves several steps. In Florida, someone concerned about the capacity of an individual to make decisions or care for themselves or their property may file a petition with the court to determine incapacity. Any competent adult may file the petition but must be able to attest as to why they believe the person may be incapacitated. Once a petition is filed, an attorney is appointed to represent the alleged incapacitated person (AIP). The court then assigns a three-member committee to examine the AIP.² If the court finds that the AIP is incapacitated, the court appoints a guardian and issues letters of guardianship. (See Exhibit 1.)

¹ A limited guardianship is appropriate if the court finds that the ward lacks the capacity to do some, but not all, of the tasks necessary to care for themselves or their property. A plenary guardian is a person appointed by the court to exercise all delegable legal rights and powers of the adult ward after the court makes a finding of incapacity.

² The examining committee includes one licensed physician or psychiatrist. The remaining two members of the committee must be persons who by knowledge, skill, experience, training, or education, may advise the court in the form of an expert opinion, such as a gerontologist or licensed social worker. The examining committee's report includes a physical examination, mental health examination, and functional assessment.

Exhibit 1
Florida’s Guardianship Process Has Multiple Steps



Source: Section [744.331, F.S.](#)

There are three types of guardians—family, professional, or public. (See Exhibit 2.) Certain individuals may not be appointed as guardians. For example, individuals who have been convicted of a felony are ineligible, as are those who are incapable of discharging their duties because of illness. Florida law imposes multiple duties on guardians, including filing an initial report within 60 days after the letters of guardianship are signed and filing an annual report with the court.^{3,4} Professional guardians must also ensure that each of the guardian’s wards is personally visited by the guardian or one of the guardian’s professional staff at least once each calendar quarter.⁵

Exhibit 2
There Are Three Types of Guardians in Florida

Family Family members or friends of the ward who the court determines are qualified to serve	Professional Individuals who have at any time served three or more non-relative wards	Public Individuals who serve wards with little to no assets who do not have a friend or family member willing or qualified to serve
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Source: The Office of Public and Professional Guardians.

³ For a detailed description of the guardianship process, including requirements of guardians and guardianship oversight, see *Florida Professional Guardianship Information 2024*, OPPAGA Report [24-07](#), October 2024.

⁴ The initial and annual reports contain information about the needs of the ward, such as medical care and appropriate housing, and the guardian’s plan to meet those needs.

⁵ During the personal visit, the guardian or the guardian’s professional staff person shall assess the ward’s physical appearance and condition; the appropriateness of the ward’s current living situation; the need for any additional services and the necessity for continuation of existing services, taking into consideration all aspects of social, psychological, educational, direct service, health, and personal care needs; and the nature and extent of visitation and communication with the ward’s family and friends.

The Office of Public and Professional Guardians shares oversight responsibilities with clerks of court and judges

The office oversees professional guardian registration and discipline

The Office of Public and Professional Guardians (OPPG), housed within the Department of Elder Affairs, was created in 1999 to oversee all public guardians who serve indigent wards. In 2016, the Legislature expanded the office’s oversight to encompass all professional guardians, public and private.⁶ In consultation with the chief judge of each judicial circuit, OPPG appoints and contracts with 16 Offices of Public Guardians to serve all 67 counties.

Professional guardians must be registered by OPPG and meet multiple training and background check requirements for registration, including completing a 40-hour initial training course; passing a state exam; completing 30 hours of continuing education every two years; providing a credit report with initial application and every two years; completing a Level 2 background screening initially and every five years; and maintaining a blanket fiduciary bond of at least \$50,000.

OPPG maintains a statewide toll-free hotline to receive complaints made against registered professional guardians.⁷ Complaints may also be submitted by email, letter, or referral.⁸ From 2019 through 2024, the number of complaints filed with OPPG varied, ranging from a low of 79 in 2022 to a high of 208 in 2021. The number of filed complaints that OPPG deemed legally sufficient, meaning the complaint contained facts that showed a violation of a standard of practice by a professional guardian had occurred, also varied, ranging from 54 in 2022 to 109 in 2019. (See Exhibit 3.)

Exhibit 3

The Number of Complaints and Legally Sufficient Complaints Filed With the Office of Public and Professional Guardians Has Fluctuated Since 2019

Year	Complaints Received	Legally Sufficient Complaints
2019	112	109
2020	124	69
2021	208	95
2022	79	54
2023	115	92
2024 ¹	136	83
2025 ²	116	80

¹ Data for 2024 is estimated due to a mid-year change in the entity conducting investigations.

² Data for 2025 is as of July 31, 2025.

Source: The Office of Public and Professional Guardians.

OPPG must review complaints against professional guardians and take action on complaints substantiated by investigators within specified timeframes. Multiple acts by guardians constitute grounds for disciplinary action by OPPG. The office may enter an order imposing any one or more of

⁶ Chapter 58M-2, F.A.C., includes topics such as professional guardian registration and standards of practice.

⁷ The OPPG hotline number is 1-855-305-3030.

⁸ Complaints to OPPG may be submitted via email at OPPGcomplaints@elderaffairs.org.

six penalties when it finds a professional guardian committed an act listed in s. 744.20041, *Florida Statutes*.^{9,10}

1. Refusal to register an applicant as a professional guardian
2. Suspension or permanent revocation of a professional guardian's registration
3. Issuance of a reprimand or letter of concern
4. Requirement that the professional guardian undergo treatment, attend continuing education courses, submit to reexamination, or satisfy any terms that are reasonably tailored to the violations found
5. Requirement that the professional guardian pay restitution of any funds obtained, disbursed, or obtained through a violation of any statute, rule, or other legal authority to a ward or the ward's estate, if applicable
6. Requirement that the professional guardian undergo remedial education

Clerks of court and judges monitor guardianship cases for compliance

The court retains jurisdiction over all guardianships. Clerks of court serve as the custodians of guardianship files and may request additional records for auditing purposes when necessary, while judges review the appropriateness and extent of guardianships. OPPAGA interviewed four probate and administrative judges in the Tenth, Eleventh, and Seventeenth judicial circuits as well as clerks of the court in six counties—Bay, Brevard, Collier, Okaloosa, Pasco, and Pinellas. Interviewees described similar distributions of oversight activities, with clerks and court staff reviewing initial and annual reports provided by guardians and judges making decisions based on those findings.

The six clerks OPPAGA interviewed have designated guardianship auditors or compliance officers and reported reviewing required reports for all guardianship cases at set intervals. These clerks also reported that certain actions taken by professional guardians—such as suspicious financial transactions—may trigger a heightened level of review by inspectors general or other staff at the county clerks' offices. Examples of such transactions include expenses for outside nursing care when a ward is already placed in an assisted living facility; exorbitantly priced dental work; travel expenses; and large cash withdrawals.

Judges in two circuits reported additional requirements for professional guardians authorized by administrative orders. Specifically, administrative orders in the Eleventh and Seventeenth circuits require court staff to maintain professional guardian registries to assist judges in appointing qualified professional guardians.^{11,12} Professional guardians in either circuit must apply during a designated period to be considered for appointment to guardianship cases.¹³

⁹ Such acts include making misleading, deceptive, or fraudulent representations in or related to the practice of the guardianship; violating any rule governing guardians or guardianships adopted by OPPG; being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of or the ability to practice as a professional guardian; having a registration, a license, or the authority to practice a regulated profession revoked, suspended, or otherwise acted against; and knowingly filing a false report or complaint with OPPG against another guardian.

¹⁰ OPPG is considering seeking a statutory change to add fines to the types of discipline that can be imposed.

¹¹ Eleventh Judicial Circuit Administrative Order [No. 15-04](#) – Establishment of Registry for Appointment of Professional Guardian(s) in Probate Proceedings in the Eleventh Judicial Circuit of Florida; Designation and Authorization of Clerk of the Courts to Operate the Professional Guardianship Registry.

¹² Seventeenth Judicial Circuit Administrative Order [2024-07-PRC Amendment 1](#) – Professional Guardian Registry.

¹³ Eligibility criteria vary by judicial circuit.

The 2022 Legislature required a statewide guardianship database for judges and a public-facing website with information about professional guardians

The Office of Public and Professional Guardians maintains select information on registered professional guardians such as names, addresses, and disciplinary actions. Courts have some information about guardians related to local guardianship cases. For example, a court can access information about the caseload of a professional guardian in its county. However, statewide information available to judges and the public does not include the number of wards served by each professional guardian or the status of cases in other counties throughout the state.

At least partially in response to concerns about guardianships, the Florida Court Clerks & Comptrollers (FCCC) organized the Guardianship Improvement Task Force in 2021. The task force's goals were to study the status of guardianships in Florida and make recommendations that promote ward safety statewide. The task force recommended the creation of a statewide data collection system and the creation of a professional guardian database.

In 2022, the Legislature passed Ch. 2022-218, *Laws of Florida*, which required that the Florida Clerks of Court Operations Corporation (CCOC) and the clerks create a statewide database of guardian and guardianship case information. The database must include, at a minimum, the following information.

- Registration status of each professional guardian
- Substantiated disciplinary history of each professional guardian
- Status of each guardian's compliance with the qualifications for guardianship
- Status of statutorily required reports and submissions

The database—referred to as the Florida Guardianship Data Transparency System (FLGDT)—is only accessible to members of the judiciary and their direct staff, court personnel, and clerks of court personnel. At a minimum, FLGDT is required to be searchable by petitioner name, ward, guardian, legal counsel for all parties, ward demographic information, guardian office location, name of the judge and the circuit, and number of wards served by each guardian by ward county of residence.

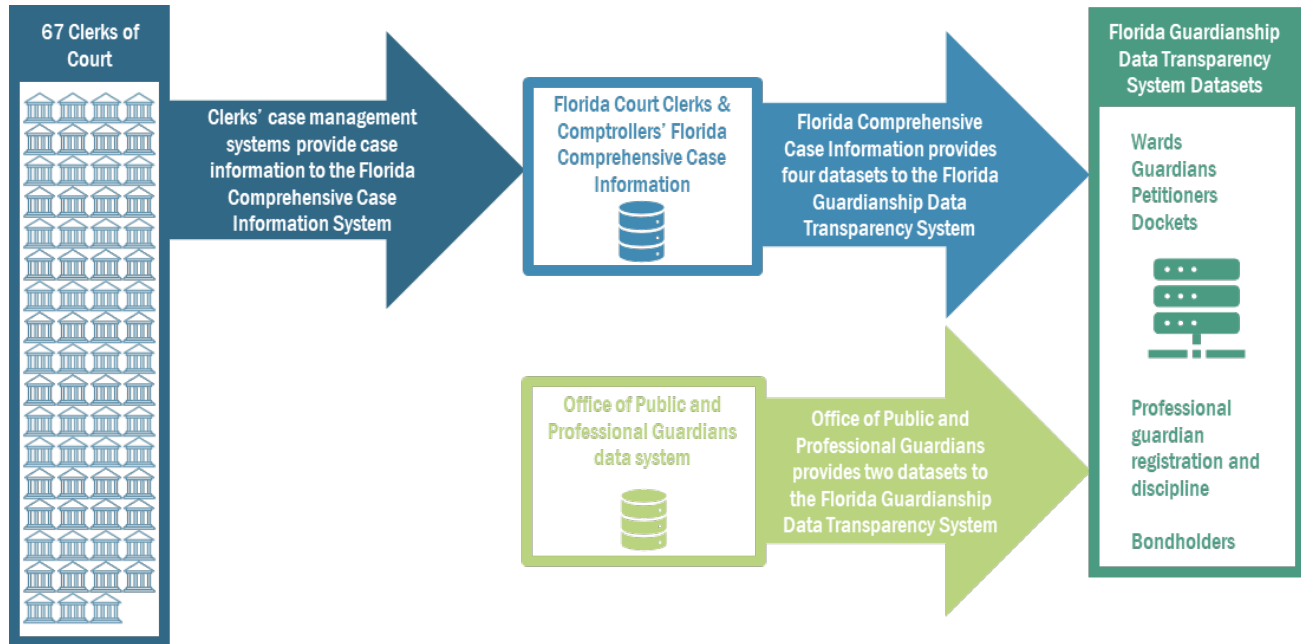
The Legislature also required CCOC to upload certain professional guardianship information from FLGDT to a publicly accessible searchable website. Website information is to be limited to professional guardian names and current data regarding the number of wards served by each guardian; the counties of residence of such wards; the number of wards residing in each county; and whether the wards are under limited or plenary guardianships. Chapter 2022-218, *Laws of Florida*, also required OPPG to publish on its website a profile of each registered professional guardian. At a minimum, the profiles must include guardian name and business address; whether the guardian meets education and bonding requirements; number and type of substantiated complaints against the guardian; and any disciplinary actions taken by the Department of Elder Affairs against the guardian.

CCOC entered into a contract with Cloud Navigator, Inc., in January 2023 to create the database. The contract acknowledges the lack of a central system or location for guardianship information and identifies the data sources as the FCCC's Florida Comprehensive Case Information System (CCIS), OPPG, and others including, but not limited to, 67 county-level case management systems that clerks

maintain.^{14,15} Statewide court case information is accessible through CCIS, which uses the clerk's case management systems as the data source. (See Exhibit 4.)

Exhibit 4

The Florida Guardianship Data Transparency System Consists of Six Datasets From the Clerks of Court and the Office of Public and Professional Guardians



Source: The Florida Clerks of Court Operations Corporation.

FINDINGS

The guardianship database is operational but incomplete; stakeholders reported limited use and data accuracy concerns

Both the Florida Guardianship Data Transparency System and public facing website have officially launched. The Florida Clerks of Court Operations Corporation subsequently provided database training to clerks in March and April 2025, with the intention that clerks in attendance would train judges in their counties. CCOC reported that 69 individuals attended the March training session, 78 individuals attended the April training session, and 68 individuals attended a database Q&A session in April.

As of June 2025, 338 users had access to FLGDT. CCOC grants database access to a clerk's office staffer who is designated as a local gatekeeper, an individual who can grant access to additional users in the clerk's office and at the court upon request. Since April 9, 2025, the date of the final training session for clerks, 10 judicial circuits (16 judges and 20 court staff) had been given access to the database. As

¹⁴ CCIS is a secure, single point of search for court case information statewide. County clerks' offices report case information through individual court management systems, which transfer data to CCIS.

¹⁵ Courts use both the term case management system and case maintenance system. For consistency in this report, OPPAGA uses the term case management system.

of May 2025, eight clerks had access; however, all 67 clerk offices had staff accessing the system. Five clerks OPPAGA interviewed reported receiving the database training; however, none of the four judges OPPAGA interviewed had received training. Four clerks and one judge OPPAGA interviewed reported using the database. Two judges are awaiting database access, and one judge was not aware of FLGDT's creation but expressed interest in learning more about the database.

Clerks have taken steps to improve availability of guardianship information for the database; challenges persist with data accuracy and completeness

During database implementation, CCOC and Cloud Navigator, Inc., have experienced difficulty capturing some required guardianship data. In some instances, the corporation and vendor were able to work with the clerks to improve data availability. However, there continue to be challenges to obtaining complete and accurate information. To improve access to available information on the status of statutorily required reports and submissions and the type of guardianship the ward is under (i.e., limited or plenary), CCOC, the vendor, and the clerks developed approaches to capture these data elements. According to CCOC, all 67 clerks have since made changes to case management systems—such as adding data fields and codes—to allow this information to be captured in CCIS and subsequently, FLGDT.

However, the database is unable to accurately report the number of wards served by each guardian. While Cloud Navigator, Inc., used available data to report these case counts in FLGDT by matching guardian names to cases where the name of an appointed guardian was available, the vendor acknowledged that the information is not accurate.¹⁶ The inaccuracy is due to the inability to link specific guardians to individual cases. While clerks can enter a guardian's name and the date the guardian was appointed in their case management system, for many cases, the court recorded the bondholder's name in the guardian name field.¹⁷ Because more than one guardian may work for the same bondholder under the same bond, the name of the bondholder alone does not clearly identify the specific guardian on the case in CCIS. As a result, accurate case counts for guardians working under a shared bond cannot be determined.

Linking individual guardians to wards even when a bondholder is listed could be accomplished by including a data element that records unique identifying information for guardians. This would require all 67 clerks to create a data field and enter the guardian's unique identifier in their case management system. This number could then be used to reliably link guardians to cases and allow for the reporting of accurate caseload statistics. While a unique guardian identifier exists in the form of registration numbers assigned by OPPG upon registration, these numbers are not currently entered into case management systems. If clerks entered a guardian's unique OPPG registration number into individual guardianship case files in local case management systems, that guardian would then be linked more reliably to their cases and to their information in FLGDT.

While all the clerks and judges OPPAGA interviewed spoke of the importance of statewide guardianship data for oversight, some stakeholders expressed hesitance to rely on the database in its current form. Specifically, clerks using the database shared concerns about data accuracy related to

¹⁶ The public-facing website is accessible, but as of September 9, 2025, it only listed the names of professional guardians and bondholders. A disclaimer at the top of the page read, "Currently, certain data elements are not available due to ongoing efforts to address data collection and reporting gaps."

¹⁷ Professional guardians are required to have a blanket fiduciary bond of at least \$50,000 posted with the clerk of court for the circuit where their primary place of business is located. This bond must cover the act or omissions of each employee of a professional guardian who has direct contact with the ward or access to the ward's assets.

caseloads. While five clerks reported using the database to estimate a guardian's statewide caseload, some reported that caseload data is probably inaccurate due to the inability to link individual guardians to cases. In addition, one clerk who has not used FLGDT to assist with oversight cited concerns about the accuracy of the data populating FLGDT. They reported that a dedicated guardianship judge in their circuit maintains a spreadsheet to track guardian caseloads due to the inaccuracy of caseload information presented in the database. Further, they provided a specific example of FLGDT falsely attributing compliance with reporting requirements to a guardian working under a shared bond they knew to be non-compliant.

In addition, an operational audit found that some OPPG data, which populates FLGDT, was not complete. In an audit of OPPG for the period between July 2022 and January 2024, the Auditor General found that publicly available online professional guardian profiles did not include information regarding all substantiated complaints against guardians and related disciplinary actions. The Auditor General found that this missing information frustrates the intent of state law and the public's ability to assess guardian fitness.¹⁸ The missing information on guardian complaints and discipline also affects the guardianship database, as OPPG is the source of complaint and disciplinary data. As a result, users are unable to access all complaint and disciplinary data for professional guardians. The office is in the process of rule development to clarify the definition of a substantiated complaint; once the rule is promulgated, substantiated complaints will be included in the profiles.

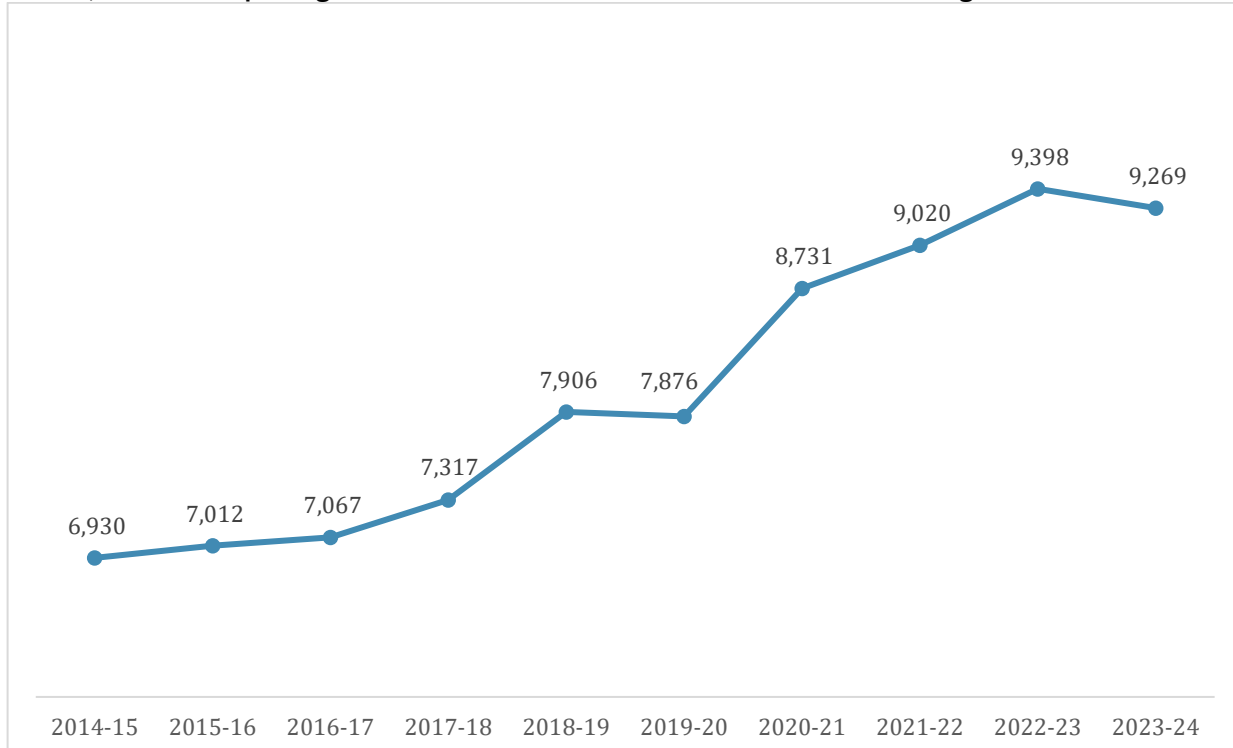
Guardianship filings have increased; analysis shows differences in guardianship activity and data completeness across counties

Over the last decade, public and private guardianship case filings have increased in Florida, but information available to stakeholders and the public about the number of wards under guardianship statewide has been difficult to obtain. The Legislature has taken steps to improve guardianship data and court oversight of guardianship cases; however, barriers to accurate data collection and reporting persist. Though filings of guardianship cases decreased slightly from Fiscal Year 2022-23 to Fiscal Year 2023-24, overall, filings increased by 34% over the last 10 fiscal years. (See Exhibit 5.) Filings include guardianship petitions for adults and minors.

¹⁸ Department of Elder Affairs - Office of Public and Professional Guardians - Operational Audit, Florida Auditor General Report [2025-092](#), January 2025.

Exhibit 5

Overall, Guardianship Filings in Florida Increased From Fiscal Year 2014-15 Through Fiscal Year 2023-24



Source: Florida Office of the State Courts Administrator.

While data exists on the number of new public professional, independent professional, and familial guardianship cases filed, there is no precise means of calculating the total number of active professional guardianship cases. As of August 1, 2025, the Florida Court Clerks & Comptrollers reported that there were 37,830 open or reopened guardianship cases in CCIS; however, due to Summary Reporting System and Uniform Case Reporting requirements and each clerk's individual case management system functionality, some counties display case statuses differently. Therefore, this number is likely an undercount of the total number of active cases statewide. Guardianships may last for years; a guardianship can have multiple case closures and case reopens during the life of the guardianship. Due to the differences in each case management system, it was determined that the use of the case status was an ineffective way to capture all professional guardianship cases.

The clerks were able to address this data limitation for the public professional guardianship cases and independent professional guardianship cases by manually reviewing cases and creating case activity codes to determine which cases are active. When clerk staff are entering information from the court order appointing the guardian into their case management system, they now use a specific active party name/type code. Doing so identifies cases that have a professional guardian associated as a party to the case and reports the data to FLGDT. Once the guardianship case has concluded and the guardian is discharged—due to the ward reaching the age of majority, being restored to full capacity, or dying—clerk staff update the professional guardian's party name/type to a specific inactive code. This removes the professional guardian's case from reporting to FLGDT, allowing for a count of only active professional guardianship cases.

Most professional guardianship cases were concentrated in populous Southeast and Central Florida counties

CCOC exported the contents of FLGDT for OPPAGA analyses on July 1, 2025. Using this data, OPPAGA identified 6,478 active professional guardianship cases. No professional guardianship case data was available for six counties—Hamilton, Holmes, Jefferson, Lee, Okaloosa, and Okeechobee.¹⁹ Miami-Dade County had the highest number of professional guardianship cases (916), followed by Pinellas (707) and Orange (692) counties. (See Exhibit 6.)

Exhibit 6

Florida Guardianship Data Transparency System Data Shows That Three Counties Had Over 500 Professional Guardianship Cases

County	Number of Active Professional Guardianship Cases
Miami-Dade	916
Pinellas	707
Orange	692
Hillsborough	433
Sarasota	408
Duval	335
Palm Beach	282
Polk	271
Broward	198
Seminole	176

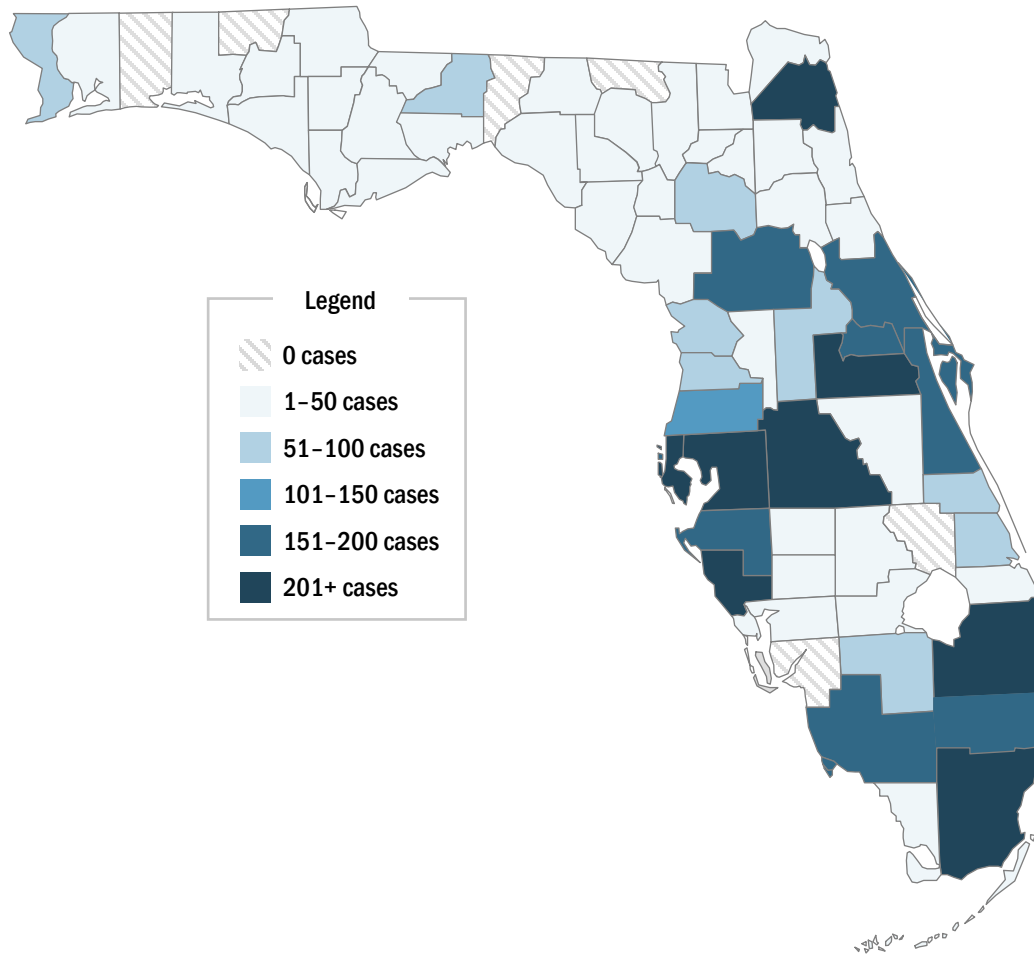
Source: OPPAGA analysis of Florida Guardianship Data Transparency System data.

Most professional guardianship cases are concentrated in highly populated coastal and central counties. (See Exhibit 7.)

¹⁹ According to CCIS staff, Okaloosa County was delayed in its use of the new party codes by a case management system vendor change. Lee County began sending professional guardian data to CCIS after the data was exported to OPPAGA. Okeechobee County currently has one professional guardian case in CCIS, but the guardian is inactive and would not appear in FLGDT.

Exhibit 7

Professional Guardianship Cases Were Concentrated in Counties With High Populations



Source: OPPAGA analysis of Florida Guardianship Data Transparency System data.

Matched professional guardianship cases typically involved a single guardian

OPPAGA also used FLGDT data to examine professional guardians' caseloads. To conduct this analysis, OPPAGA used first and last names to match active professional guardianship case records from CCIS to OPPG's records of registered professional guardians and bondholders and calculated caseload statistics for a subset of registered professional guardians.²⁰ Of 6,786 guardianship case records, 55% matched by name to an OPPG registered guardian, and 40% matched to an OPPG registered bondholder; 5% of records did not match to any registered guardian or bondholder. OPPAGA was able to link some cases that matched to a registered bondholder back to a registered guardian because only one guardian was the principal associated with the bond.²¹ (See Appendix A for a description of OPPAGA's process for matching professional guardians to cases.)

Ultimately, OPPAGA matched 345 distinct guardians with 3,649 distinct guardianship cases across 56 counties. This subset of cases represents 56% of all active professional guardianship cases. Most of these cases (96%) only have one matched guardian; 4% have two guardians, and less than 1% have three to four guardians.

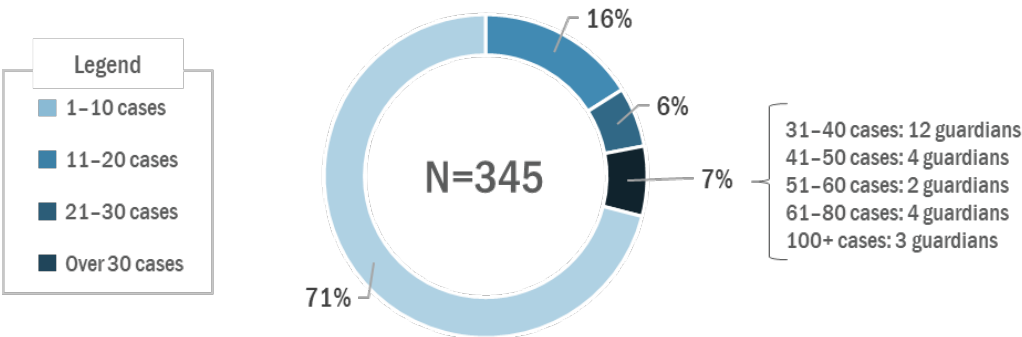
²⁰ If the guardian's name was that of an organizational entity and not a person, the records were matched by name to the OPPG bondholder file.

²¹ The number of assigned guardians could not be determined for unmatched cases or cases that were matched to bondholders employing multiple guardians.

While most guardians were appointed to 10 or fewer cases, 40% of wards were served by guardians with more than 30 cases

Matched guardian caseloads range from 1 to 275, with 71% of matched guardians in CCIS active guardianship case records having 1 to 10 cases. Of the 7% of matched guardians who had 30 or more cases, seven had more than 60 cases. (See Exhibit 8.)

Exhibit 8
Twenty-Five Professional Guardians Had More Than 30 Cases

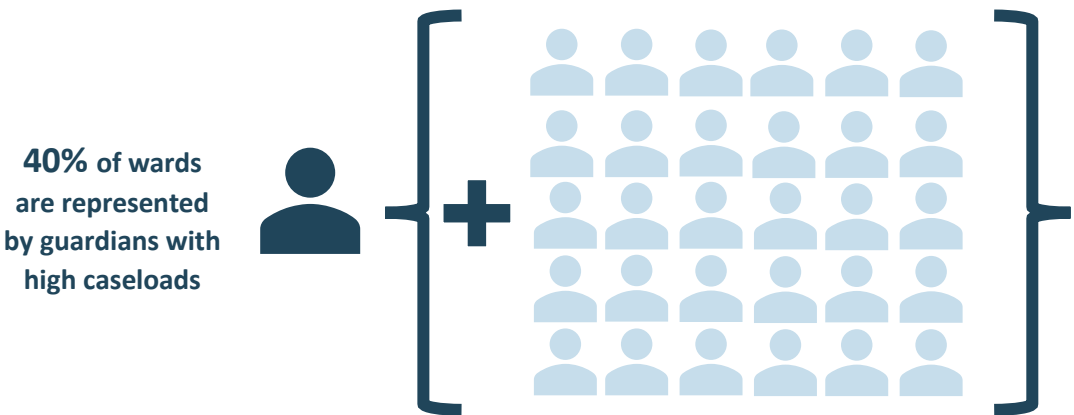


Note: These numbers may underreport the number of active cases per guardian because not all cases could be matched to a single guardian due to the lack of a unique identifier. The numbers in this exhibit reflect OPPAGA's caseload counts for the 345 guardians matched to cases. FLGDT data also contain approximate caseload counts for 95% of these 345 guardians. The counts from these sources generally agree, with discrepancies for only 31 matched guardians. OPPAGA arrived at higher case counts than shown in FLGDT data for 29 guardians and showed a case count discrepancy of more than five cases for 14 guardians. FLGDT data included caseload counts for 11 guardians for whom OPPAGA generally found that providing caseload counts was too unreliable.

Source: OPPAGA analysis of Florida Guardianship Data Transparency System data.

In OPPAGA's analysis of matched case-guardian data, many wards are represented by guardians with high caseloads. Of the 3,649 cases where a professional guardian could be identified, 40% of wards had a guardian with more than 30 other active guardianship cases. (See Exhibit 9.)

Exhibit 9
Many Wards Were Represented by Guardians With More Than 30 Active Guardianship Cases



Note: Approximately 5% of cases had more than one guardian; therefore, wards in those cases may be counted more than once. This represented a small share of matched guardianship cases.

Source: OPPAGA analysis of Florida Guardianship Data Transparency System data.

The National Guardianship Association Standards of Practice recommends that guardians limit caseloads to a size that allows guardians to accurately and adequately support and protect the person, including a minimum of one visit per month with each person and regular contact with all service providers. There is no universally acknowledged acceptable caseload for professional guardians, as the demands of every case are dependent on the needs of the ward. However, some states passed laws or rules limiting the number of wards a guardian can serve at a time. For example, New Hampshire rule identifies available professional guardians as those with fewer than 35 clients. In Ohio, guardians with 10 or more wards are subject to additional court oversight. Florida statutes require a professional guardian to ensure that each ward is visited by the guardian or one of the guardian's professional staff at least once each calendar quarter.²²

The status of statutorily required reports and submissions is unavailable for many cases; disciplinary history data is also limited

One of the required elements of FLGDT is a field for guardians' compliance with statutorily required reports and submissions, such as annual accountings and guardianship plans. However, these records are missing for a significant number of cases; 35% of the 6,478 active professional guardianship cases have no records related to guardian compliance with required reporting. The availability of these records varies by county. OPPAGA identified 21 counties for which no reporting information was available for any of the cases in those counties.

Disciplinary history data extracted from the OPPG website by FLGDT is limited due to incomplete documentation in the source system. As described by the Auditor General's 2025 OPPG operational audit, OPPG's website does not include all substantiated complaints against guardians, or all disciplinary actions taken by OPPG in response to substantiated complaints. Currently, 11 of 566 guardians with active registrations and 10 of 524 guardians with expired registrations have a disciplinary history documented in FLGDT. This is likely an undercount because OPPG guardian profiles do not currently contain all disciplinary actions.

Other states experienced similar challenges when implementing guardianship oversight reform

OPPAGA's 2024 report included a 50-state review of laws related to criminal background checks, financial background checks, and certification and registration requirements for guardians. This year's report aims to highlight innovative approaches to guardianship oversight taken by other states. OPPAGA interviewed officials from four states identified as leaders in guardian oversight by staff at the National Center for State Courts—Minnesota, Nevada, New Mexico, and Pennsylvania.


High-profile cases of guardian fraud or abuse are a common impetus for enhanced oversight in other states

As in Florida, officials from the four states OPPAGA interviewed cited high-profile instances of fraud or abuse by guardians that led lawmakers to enhance guardianship oversight. Specifically, in the wake of highly publicized cases of guardianship fraud or abuse, the four states reported that judges, legislators, task forces, commissions, and advisory councils drove legislative and judicial reform. (See Exhibit 10.)


²² Section [744.361\(14\)](#), F.S.

Exhibit 10


Other States Reported That High-Profile Guardian Misconduct Led to Reform




Minnesota officials cited a 2011 fraud case as the impetus for judges and legislators taking steps to improve guardianship and conservatorship monitoring. The Minnesota Judicial Branch launched the Conservator Account Auditing Program in 2012 and the Conservator Account Review Program in 2019 to ensure that all conservator-managed financial accounts are reviewed by trained financial experts and that district court judges have more tools and information when hearing conservatorship cases.



Nevada officials reported that the case of a guardian indicted on 270 counts of elder exploitation led to the creation of the state's Guardianship Commission. The commission recommended changes to statute and court rules, including appointing an attorney to each protected person. Nevada's Guardianship Compliance Office, part of the state's Administrative Office of the Courts, was established in 2018 on the recommendation of the commission.



New Mexico officials identified a highly publicized case of a conservator who stole over \$10 million from protected people as the impetus for legislative changes. In 2021, New Mexico's Legislature passed House Bill 234, creating the Guardianship Annual Report Review Division. Housed in the Administrative Office of the Courts, the division is responsible for reviewing all reports filed by guardians and updating the statewide case management system accordingly.



Pennsylvania officials identified a case in which a guardian stole over \$1 million from an incapacitated person as the driving force behind the state's 2014 Elder Law Task Force, which became the Advisory Council on Elder Justice in the Courts. Officials from the Office of Elder Justice in the Courts assist the court in implementing recommendations contained in the Report and Recommendations of the Elder Law Task Force.

Source: OPPAGA interviews with other states.

States identified centralized data collection as essential to improving guardian oversight

The four states that OPPAGA interviewed emphasized the importance of collecting accurate statewide guardianship data, though the states' data collection and reporting methods varied. Both Pennsylvania and Minnesota created statewide guardianship information portals, Nevada is currently developing a system, and New Mexico collects statewide guardianship data using unique status codes in its existing case management system.

The Administrative Office of Pennsylvania Courts piloted the Guardianship Tracking System (GTS) in July 2018 and mandated statewide participation by December 2018. The GTS allows guardians to submit required inventories of wards' assets and annual reports online. It automatically sends reminders to guardians regarding upcoming reporting deadlines and provides guidance on completing reports. In turn, GTS allows court staff to easily identify late reports and generates automated alerts on potential areas of concern, such as unapproved attorney fees or the relocation of the ward's primary residence. It also contains several extractable data points that are used to inform guardianship oversight policy including the total number of guardians in the state; the sum of assets under guardianship; the total number of wards; ward housing placements; and guardian background check status. The Administrative Office of Pennsylvania Courts' information technology department developed GTS internally in association with the Office of Elder Justice in the Courts. The system cost \$4.9 million to implement and \$1.6 million per year to maintain, including hardware, software, licensing, analyst support, training, and 24/7 help desk support.

The Minnesota Judicial Branch operates two statewide guardianship portals: MyMNGuardian (MMG), launched in 2019, and MyMNConservator (MMC), launched in 2015. Guardians and conservators are required to submit reports through MMG and MMC, respectively, although judges may grant exceptions for guardians. MMG allows a court-appointed guardian or their attorney to electronically prepare, review, and file annual reports. It also sends system-generated reminders and notifications via email and text to encourage timely filing. MMC is an online conservator account reporting application that allows conservators to file inventory and annual accountings electronically. The Minnesota Judicial Branch's statewide audit program uses the application to audit conservator accounts. Both MMG and MMC were Minnesota Judicial Branch projects with federal grant funding from the State Justice Institute. MMG was funded with \$275,000 in grants with a 20% match in state funds, and MMC was funded with \$40,000 in grants. The Minnesota Judicial Branch developed both systems internally, so the state does not separately report any ongoing licensing or software maintenance expenses.

The Nevada Administrative Office of the Courts began working with a vendor to build a statewide portal for guardianship information in 2023 and is set to pilot the portal in October 2025. Guardians will be able to complete elements of required reports in real time through a guided process rather than retroactively in annual reports. Nevada partnered with Plaid, an application that connects the portal directly with a protected person's bank accounts, credit cards, and other financial accounts in real time. Guardians will also receive automatic notifications when reports are due. Courts and oversight bodies will have various dashboards to more efficiently monitor cases. Court staff tasked with reviewing reports will receive automatic alerts when certain deficiencies, such as incomplete or overdue reports, are detected. Staff will also have access to quarterly reports comparing recently reported expenses with previously reported expenses, a form of real-time financial monitoring. As of August 2025, Nevada had spent \$219,730 on its guardianship portal. The portal was funded with \$192,000 in federal grants from the Administration for Community Living and the State Justice Institute, with the rest of the funding coming from the state general fund.

States reported facing challenges in cleaning and standardizing statewide guardianship data

Officials from the four states, including those with statewide case management systems, reported facing challenges in cleaning and standardizing case data, with the most time and effort spent resolving inconsistencies due to the number and varying quality of case management systems and court recordkeeping practices among jurisdictions.

Though Minnesota adopted a statewide case management system in 2005, state officials cited data cleanup as the primary challenge in developing guardian information portals and the only ongoing challenge to the collection and analysis of guardian data. Specifically, officials noted time-consuming efforts to identify open cases that should be closed and migration of data from the legacy case management system.

New Mexico, another state with a statewide case management system, conducted a large case cleanup in 2019, which included creating and tracking new case statuses. These case statuses allow judicial staff to extract and analyze several data points on both wards and guardians. Officials reported that conducting a full review and cleanup of case data led to a clearer understanding of the data and was a crucial step in guiding reforms.

Similar to Florida, Pennsylvania has 67 counties and multiple case management systems that populate its statewide guardianship database. In counties with less advanced case management systems, data cleanup efforts are difficult and still ongoing due to lower quality data. Pennsylvania judicial officials also cited developing unique identifiers for guardians as a significant and ongoing challenge. As new cases are created and assigned a guardian, the GTS attempts a match to existing guardians. If a match is identified, the system links the guardian to their existing unique identifier. If not, the system creates a new unique identifier for that guardian, which could result in multiple user accounts. Mandatory use of GTS aided the cleanup effort, as guardians noticed cases missing in their GTS accounts and reported the issue, allowing judicial staff to merge duplicate records and user accounts. Judicial staff reconcile duplicate records and accounts weekly. These measures make it easier for Pennsylvania to compile essential data, such as guardian counts and numbers of wards per guardian.

In Nevada, judicial staff identified many cases where courts had lost contact with guardians and wards prior to the state's reforms, hindering the judicial staff's ability to identify the number of people under guardianship and conservatorship. Larger courts in the state are still in the process of cleaning those cases, and the developers of the state's portal are working with courts to create interfaces with each district court's case management system.

RECOMMENDATIONS

To fulfill the statutory requirements of the Florida Guardianship Data Transparency System and to make more information on professional guardians available to courts for effective oversight, the Florida Clerks of Court Operations Corporation, Florida Court Clerks & Comptrollers staff, Florida Comprehensive Case Information System staff, county clerks of court, and the Office of Public and Professional Guardians should collaborate to create unique identifiers for professional guardians, improve availability of information on required reports, and enhance judicial knowledge of the database.

- To fulfill the statutory requirements of FLGDT, CCOC should work with FCCC, CCIS staff, clerks, and OPPG to assign unique identifiers to professional guardians. The lack of a unique identifier significantly inhibits the collection and reporting of accurate data. Without a unique identifier, cases and professional guardians cannot be reliably linked, and accurate guardian caseloads cannot be reported. Other statewide data systems in Florida may provide useful models for using unique identifiers. For example, attorneys are currently identified in local case management systems by their Florida Bar numbers, which are unique to them. This permits the system to associate an attorney with their cases. Every change to FLGDT requires changes by all 67 clerks to their case management systems. These changes will create an additional workload and cost for the clerks.
- To improve the availability of information on statutorily required reports, county clerks should continue to work to include this information in their local case management systems that populate CCIS so it can be captured by the database. In making a decision to appoint a guardian, a judge may want to determine how timely a guardian has met reporting requirements in other counties where the guardian serves wards.
- To enhance judicial knowledge of FLGDT, county clerks of court should enhance judicial education about the database. While CCOC held trainings for clerks with the intention of clerks then training judges in their counties, judges OPPAGA interviewed reported that they did not receive training. Clerks should continue disseminating the knowledge and tools shared with

them at FLGDT training sessions to judges in their counties and focus on ensuring that all judges overseeing guardianship cases are trained and registered to use FLGDT.

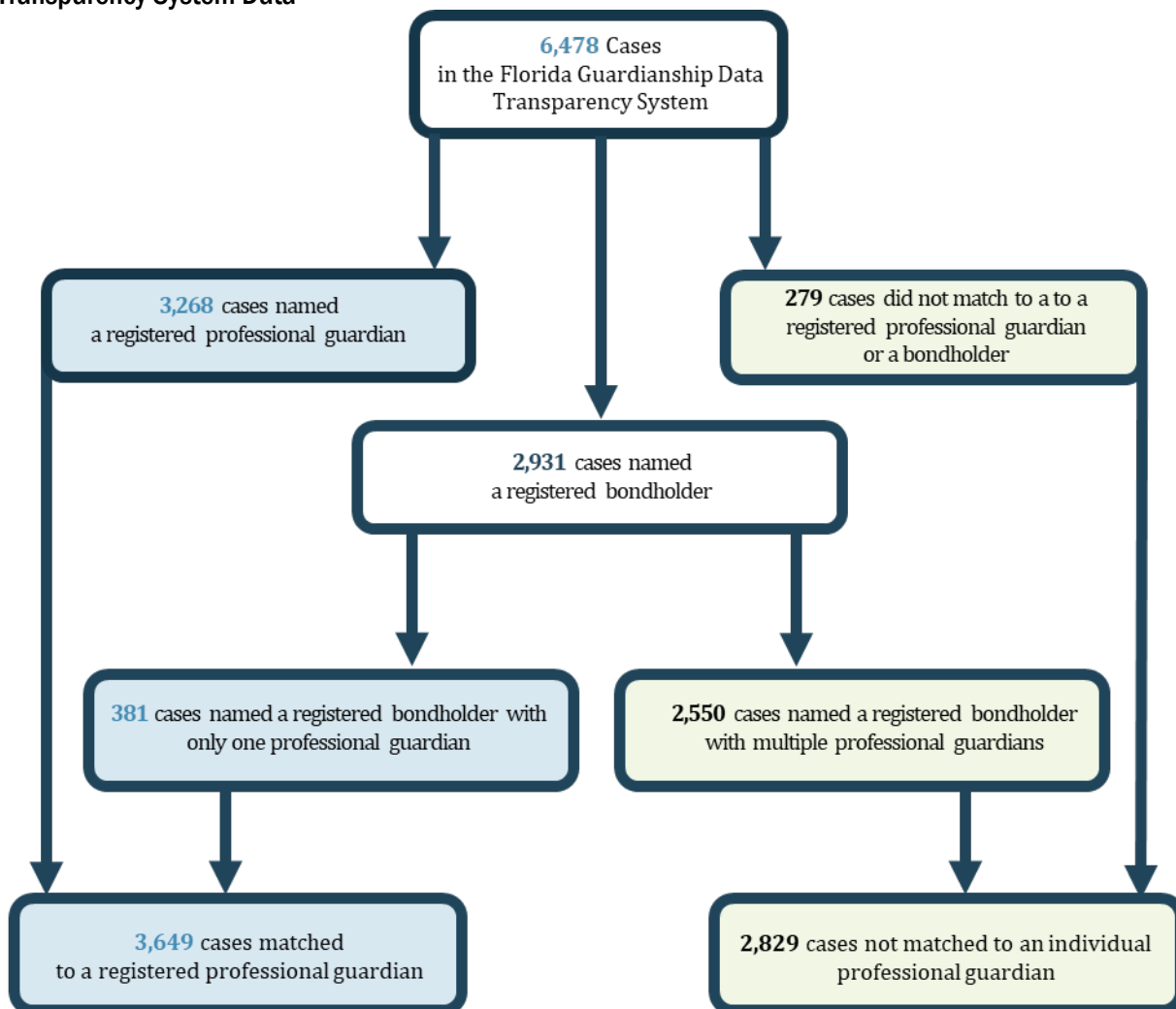
APPENDIX A

OPPAGA's Approach to Matching Active Guardianship Cases to Professional Guardians and Non-Matches

OPPAGA analyzed Florida Guardianship Data Transparency System (FLGDT) data provided by the Florida Clerks of Court Operations Corporation. OPPAGA was able to identify the professional guardians for some cases by matching the names on case records to registered guardians in FLGDT data. (See Exhibit A-1.) Additionally, OPPAGA was able to match some guardians to cases when a bondholder's name was listed on cases and FLGDT data showed only one guardian associated with the named bondholder. Of the 6,478 guardianship cases in the FLGDT data, OPPAGA was able to match 3,649 (56%) cases to a specific registered professional guardian; 2,829 (44%) cases were excluded from the professional guardian caseload analysis.

Exhibit A-1

OPPAGA Matched Active Guardianship Cases to Professional Guardians Using Florida Guardianship Data Transparency System Data



Source: OPPAGA analysis of Florida Guardianship Data Transparency System and Florida Comprehensive Case Information System data.



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OPPAGA supports the Florida Legislature by providing data, evaluative research, and objective analyses that assist legislative budget and policy deliberations. This project was conducted in accordance with applicable evaluation standards. Copies of this report in print or alternate accessible format may be obtained by telephone (850/488-0021), in person, or by mail (Claude Pepper Building, Room 312, 111 W. Madison St., Tallahassee, FL 32399-1475).

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