

# VICTIMS AND FAMILIES HARMED BY GUARDIANSHIP

We are Victims and Families Harmed By Guardianship-NY, a human rights coalition of groups and individuals united by the common purpose to protect elderly and disabled citizens from isolation, sedation and financial ruin by the New York State supreme and probate courts. Court-appointed guardianship is being used as a racketeering enterprise.

Guardianship allows court-appointed third party lawyer-guardians and their teams of attorneys and accountants to write checks to themselves from family trusts, estates and any accounts owned by the person placed into a guardianship with absolutely no oversight. They have control of pensions, social security benefits, insurance settlements and real property. And the court-appointed lawyer-guardians along with a court are continuously changing what happens to be in their favor. With layers of attorneys, lawyer-guardians strip vulnerable adults and their families of their freedom, rights, and money. There is no transparency - it happens in secret. Court records are regularly sealed and gag orders are routinely applied. New guardianships are created every day, and victims and their families are helpless to prevent or reverse it once it commences.

In a 2018 New York Times article, a former judge was quoted saying, "...it is completely unconstitutional and it's done everyday. And it's done in the name of protection. And the real question is, does it actually protect people? There is no evidence that it does. When you give one person total power over another person's life, you're setting them up for abuse and neglect and exploitation." In the article, victims and their families describe the cruelty and ruin they have experienced. There is a decades long enduring rhetoric about guardianship which is very different from the reality as these victims describe.

It is a system with no fixed fees, prompting layers of lawyers to charge hundreds of dollars an hour simultaneously for doing what lawyers do - have conferences, file report upon report and check to see if there is money so they can continue to bill. Decisions are made in secret in judges' chambers and then executed via a court-order prepared by one of the court-examiners, a lawyer. And the judge signs it. It is time to end court-appointed guardianship because over time the guardianship law has been misused and distorted by those who are court appointed. It is an alarming threat to everyone's health and safety.

There is a perverse monetary incentive that drives courts, lawyers and government agencies to push vulnerable people into guardianships. It must be dismantled. It is a corrupt industry