



THE LAW OFFICES OF
HOYT & BRYAN, LLC
FAMILY WEALTH & LEGACY COUNSELLORS

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Appointment of Guardian Advocates

In 2008, there was a change to the Florida Statutes regarding the appointment of guardian advocates. Previously, a person petitioning a court to be appointed as a guardian advocate was required to be represented by an attorney. This is no longer the case. With the change in the law, a guardian advocate may represent themselves. This does not apply to guardianships of the person or property, only to guardian advocates.

The guardian advocacy process is reserved only for persons with developmental disabilities who have turned eighteen. A guardian advocate's duties may include the responsibility for the civil rights, medical care and asset management of the developmentally disabled person. A guardian advocate cannot assign their delegated duties to anyone else. They will be responsible for the timely filing of annual reports with the court. The court will monitor the guardianship and the guardian advocate can be held in contempt of court for failure to properly administer the guardianship.

We do not recommend that guardian advocates choose to represent themselves. We strongly encourage legal representation by competent counsel. There are many legal and personal pitfalls that may be encountered and numerous issues of which you may be unaware.

The Law Offices of Hoyt & Bryan assists families in the protection of their loved ones by focusing their practice in the areas of Estate Planning, Probate and Trust Administration, Elder Law including Medicaid and VA Planning and Special Needs Planning, Pet Planning, Business Succession Planning and Real Estate. The founders, Peggy Hoyt and Randy Bryan, are both dual board certified by the Florida Bar in Wills, Trusts and Estates as well as Elder Law. Hoyt & Bryan is the only law firm in Florida with the distinction of two attorneys with these certifications. We offer many complimentary educational workshops each week in our Learning Center at The Law Offices of Hoyt & Bryan and monthly workshops in the Auditorium of One Senior Place in Altamonte Springs. For more information please contact our office at 407-977-8080 or visit our website HoytBryan.com.