



## WHAT DOES IT COST?

Guardianship is an extremely costly proposition. There are court "filing" fees, fees associated with court personnel and ongoing legal fees throughout the administration of the guardianship. If a professional guardian is involved, then he or she also charges fees for the administration of the case. Family members serving as a guardian are also allowed to charge for their time.

All fees and costs are assessed against the assets of the ward. If the ward has no assets, the attorney and guardian are not generally paid. Unfortunately, funding for Public Guardianship is extremely limited, while the need for guardianship services continues to escalate throughout Florida. A 2004 study of Public Guardianship by the Florida Department of Elder Affairs indicates a conservative estimate of individuals in need of guardianship in Florida ranges between 5,000 and 10,000 persons per year. Many vulnerable individuals are never adjudicated incapacitated because they have no assets.

The court personnel involved in the initiation of the guardianship are paid out of state funds if the ward has no assets and filing fees are generally waived.

Contrary to a common fallacy, the guardian **does not** keep the assets of the guardianship when it ends!