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FOR IMMEDIATE RELEASE

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Florida Department of Elder Affairs Revokes Registration of Professional Guardian for Violating Multiple Statutory Sections of Florida’s Guardianship Law

~Historic Revocation is Permanent and Prohibits the Guardian from Practicing~

TALLAHASSEE – The Department of Elder Affairs’ Office of Public and Professional Guardians (OPPG) has issued a historic Final Order to revoke the registration of professional guardian Elizabeth “Betsy” Savitt for failing to comply with Florida’s guardianship laws. Savitt took fees from her wards before providing services and without court approval in violation of Chapter 744, Florida Statutes.

Richard Prudom, Secretary for the Florida Department of Elder Affairs, said, “The Department will do everything under the law to protect Florida seniors and their families from abuse. I hope our action today serves as a deterrent for anyone seeking to exploit individuals under guardianship.” He continued, “Revoking Ms. Savitt’s registration is simply the right thing to do based on her repeated bad behavior and shows our seriousness and commitment to removing those self-serving bad actors who act unlawfully.”

Executive Director for OPPG, Carol Berkowitz, M.A., Esq., said, “Because of the erosion of public trust and serious and repeated violations of the law by Ms. Savitt, the most appropriate and responsive action was to impose the harshest discipline available – revocation of her registration – preventing any further harm by the guardian. We will not tolerate the exploitation of Floridians in the guardianship system that was established to help them.”

The OPPG first filed an Administrative Complaint against Savitt with the Division of Administrative Hearings (DOAH) in February 2018 following several complaints to the office and a thorough investigation.

In the Final Order, issued today, OPPG concluded that Savitt violated three statutory sections, including the following:

- a) Section 744.361(3), Florida Statutes – “breach of duty to act in good faith by taking retainers prior to services, creating a prohibited conflict of interest and financial interest in the guardianship;”
- b) Section 744.361(4), Florida Statutes – “breach of duty to act in a ward’s best interests under the circumstances by taking money from a ward in the form of a retainer prior to providing any services and prior to court approval, thereby creating a loan from the ward;” and
- c) Section 744.474(3), Florida Statutes – “violating the prohibition against abuse of powers by taking money from a ward in the form of a retainer prior to providing any services and prior to court approval, thereby creating a loan from the ward.”

The Final Order further stated that Savitt's actions were "dangerous to the public" as there is no way to monitor the taking of loans from vulnerable persons. Also included in the Final Order was Savitt's failure to thoroughly disclose her marriage to a judge sitting in the Probate and Guardianship Division in which she practiced as a professional guardian, which created a potential conflict or the appearance of conflict.

The potential disciplinary actions that a professional guardian faces for violating any statutory or legal obligations may range from the issuance of a written reprimand or letter of concern, requiring continued education or training, or refusing to register an individual as a professional guardian, up to the suspension or permanent revocation of a professional guardian's registration, thereby prohibiting them from acting as a professional guardian.

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The Department of Elder Affairs, the State Unit on Aging, helps Florida's elders to remain healthy, safe, and independent. For more information, please visit elderaffairs.org.

