



(https://gaslowitzfrankel.com)

GASLOWITZ  
FRANKEL LLC



# How to Protect Yourself from Predatory Guardianship

 Gaslowitz Frankel | June 15, 2021

A guardianship or conservatorship is granted (https://gaslowitzfrankel.com/how-to-obtain-adult-guardianship/) when an individual is not able to make appropriate decisions or care for



themselves. Guardians are charged with making decisions for the well-being of a person who cannot make decisions for themselves. Conservators are appointed to make financial decisions for people who are no longer capable of making reasoned decisions about money. Courts take granting guardianships and conservatorships very seriously, because it strips the person, known as a ward, of many important rights. A judge who has decided that a guardianship or conservatorship is needed tries to appoint the best person for the job,

Search... 

## CATEGORIES

**25th Anniversary Year of Giving**  
(https://gaslowitzfrankel.com/anniversary-year-of-giving/)

**Alternative Dispute Resolution**  
(https://gaslowitzfrankel.com/alternative-dispute-resolution/)

**Appeals**  
(https://gaslowitzfrankel.com/appeals/)

**Business Disputes**  
(https://gaslowitzfrankel.com/business-disputes/)

**Estate Disputes**  
(https://gaslowitzfrankel.com/estate-disputes/)

**Estate Planning**  
(https://gaslowitzfrankel.com/estate-planning/)



given the ward's circumstances. Unfortunately, sometimes the person who is appointed to serve as guardian or conservator does not have the best intentions (<https://gaslowitzfrankel.com/how-to-protect-yourself-from-guardianship-or-conservatorship-abuse/>). Situations where a guardian or conservator acts in their own interest instead of the best interest of their ward, are referred to as or predatory guardianship/conservatorships.

Seniors are particularly vulnerable to mismanagement and outright theft of their assets, such as savings accounts or personal belongings. To ensure you are never taken advantage of, you should create a plan for your future.

## **Plan ahead**

Proper planning allows seniors and their adult children to take proactive measures to prevent the senior from being victimized should the need for a guardian or conservator arise. Lack of planning leaves seniors in a vulnerable position. In most cases, when an individual becomes unable to care for themselves, the court will appoint a family member to serve as guardian or conservator. However, there are situations where the senior does not have any living family members, or the family members are unaware of the need for a guardianship or conservatorship. These situations increase the risk that a senior will fall prey to a predatory guardian or conservator. Signing legal documents that explicitly state who should be appointed reduces that risk.

## **Keep in Contact With Family Members**

If you have an elderly person in your family who lives alone, reach out to them frequently to check in. Speaking with elderly family members regularly could alert you to potentially predatory relationships in your loved one's life.

When a vulnerable senior does not have family checking on them, it is easier for a predator to obtain control of the senior through guardianship, conservatorship, or even a power of attorney. Family members and other interested persons can petition a court to rescind a guardianship or conservatorship, but being involved in the senior's life can prevent predatory appointments in the first place.

## **Financial Literacy**

(<https://gaslowitzfrankel.com/category/financial-literacy/>)

## **Firm News**

(<https://gaslowitzfrankel.com/category/firm-news/>)

## **Guardian and Conservator**

### **Disputes**

(<https://gaslowitzfrankel.com/category/guardian-and-conservator-disputes/>)

### **Podcast**

(<https://gaslowitzfrankel.com/category/guardian-and-conservator-podcast/>)

## **Publications and Speaking**

### **Engagements**

(<https://gaslowitzfrankel.com/category/publications-and-speaking-engagements/>)

## **Securities Investment Litigation and Arbitration**

(<https://gaslowitzfrankel.com/category/securities-investment-litigation-and-arbitration/>)

## **Trust Disputes**

(<https://gaslowitzfrankel.com/category/trust-disputes/>)

## **Uncategorized**

(<https://gaslowitzfrankel.com/category/uncategorized/>)

## **Wealth Matters Radio Show**

(<https://gaslowitzfrankel.com/category/wealth-matters-radio-show/>)

## **Will Disputes**

(<https://gaslowitzfrankel.com/category/will-disputes/>)



## Hire An Attorney

To prevent predatory guardianship or conservatorship, it is best that you speak with an attorney who is experienced in elder law. An elder law attorney can help you get a plan in order to ensure that, if a guardian or conservator is ever needed to make decisions on your behalf, the court will appoint an appropriate person. Predators have a much better chance of persuading a judge to appoint them if a senior has no family and no plan in place.

If someone you love is faced with an unnecessary or predatory guardianship or conservatorship, or you would like to take steps towards protecting your future, an attorney at Gaslowitz Frankel LLC can help ([https://gaslowitzfrankel.com/areas-of-practice/guardian-and-conservator-disputes/?utm\\_source=0503&utm\\_medium=blog&utm\\_content=kwsm](https://gaslowitzfrankel.com/areas-of-practice/guardian-and-conservator-disputes/?utm_source=0503&utm_medium=blog&utm_content=kwsm)).

Contact our firm (<https://gaslowitzfrankel.com/contact/>) today for a consultation.

Gaslowitz Frankel LLC (<https://gaslowitzfrankel.com/>) is Georgia's premier fiduciary litigation law firm. The firm has earned a reputation for excellence across Georgia and the Southeast in providing representation to individuals, executors, trustees, investors, shareholders, and financial institutions in complex fiduciary disputes involving wills, estates, trusts, guardianships, conservatorships, businesses, and securities.

## Gaslowitz Frankel

Our award-winning firm has an experienced team of legal professionals ready to go to bat for you in any fiduciary dispute. Our team members have a wide range of expertise and experience, and exhibit all the qualities we look for in our staff and partners: skill, courage, and creativity.

### Latest Posts

(<https://gaslowitzfrankel.com/author/gaslowitz-frankel/>)

(/wp-

content/uploads/2023/08/Top-Ten-Tips-on-How-to-Avoid-Estate-Disputes-Ebook.pdf)

Download our eBook  
(/wp-content/uploads/2023/08/Top-Ten-Tips-on-How-to-Avoid-Estate-Disputes-Ebook.pdf)

## HONOR AND AWARDS

## RECENT POSTS

Breach of Fiduciary Duty: What It Means and What to Do About It  
([https://gaslowitzfrankel.com/areas-of-practice/breach-of-fiduciary-](https://gaslowitzfrankel.com/areas-of-practice/breach-of-fiduciary-duty/)

What Are Your 'Next of Kin' Rights and Responsibilities?  
([https://gaslowitzfrankel.com/areas-of-practice/what-are-your-next-](https://gaslowitzfrankel.com/areas-of-practice/what-are-your-next-of-kin-rights-and-responsibilities/)



404.892.9797  
(tel:4048929797) – Phone  
404.892.1311 – Fax  
inquire@gadisputes.com  
(mailto:inquire@gadisputes.com)

Gaslowitz Frankel LLC  
303 Peachtree St., NE  
Suite 4500  
Atlanta, GA 30308

When is Trust Litigation  
Called For? (/when-is-trust-litigation-called-for/)

What is the Georgia Survival Action Statute? (<https://gaslowitz.com/what-is-the-georgia-survival-action-statute/>)

Differences Between Executorship & Administration of an Estate (/differences-between-executorship-administration-of-an-estate/)

Terms and Conditions (/terms-and-conditions)

ADA Compliance (/compliance/)

Transparency in Coverage (/transparency-in-coverage/)

