

What Responsibilities Does a Legal Guardian Have?

Imagine you have a grandparent, an older neighbor, or even a family friend who, because of age, illness, or disability, can no longer take care of themselves the way they used to. They might forget to pay bills, struggle to make medical decisions, or be unable to keep up with daily life. In situations like this, a legal guardian can step in to help.

A legal guardian is a person the court chooses to protect and care for someone who can't manage their own personal, medical, or financial matters anymore. The person who needs help is called the ward. The guardian's job is to make sure the ward is safe, healthy, and taken care of. But being a guardian isn't just about making decisions—it's about doing what's best for the person while respecting their rights and dignity.

Let's break it down into the main responsibilities of a legal guardian in a way that's easy to understand!

1. Making Sure They Have a Safe and Comfortable Place to Live

One of the biggest responsibilities of a guardian is making sure the ward has a safe and suitable living environment. This might mean:

- Keeping them in their own home with extra care or assistance.
- Moving them to a nursing home, assisted living facility, or with family if they can no longer live alone.
- Ensuring their home is safe, clean, and comfortable.

CONTACT US

PH: (305) 836-4697

E-MAIL: Support@ElderlyCareLawFirm.com

WEBSITE: www.ElderlyCareLawFirm.com

A guardian doesn't control the person's life—they just help make the best living arrangements based on what the person needs.

2. Taking Care of Their Health and Medical Needs

Imagine if someone was very sick but didn't know what medicine to take or which doctor to see. That could be dangerous! A guardian helps by:

- Taking them to doctor's appointments.
- Making medical decisions (like surgeries or treatments) when they can't decide for themselves.
- Managing medications so they get the right treatment at the right time.
- Making sure they get the care they need if they're in a hospital, nursing home, or assisted living facility.

The goal is to keep the ward as healthy and happy as possible while always considering what they would want if they could decide for themselves.

3. Handling Their Money and Paying Bills

Not everyone needs a guardian to handle their money, but if the ward struggles to pay bills, budget, or avoid scams, a guardian may step in.

The guardian might:

- Pay their rent or mortgage so they don't lose their home.
- Make sure utilities (electricity, water, phone) stay on.
- Protect them from scams that could take their money.
- Manage their bank accounts, retirement funds, or Social Security benefits.

A guardian must be honest and responsible when handling money. They can't spend the ward's money on themselves—it must be used only for the ward's needs.

4. Making Legal and Personal Decisions

A legal guardian may also need to help with legal matters, like:

- Renewing identification (driver's license, state ID).
- Managing property or handling legal paperwork.
- Making sure the ward's wishes are followed (for example, if they wrote a will).

The court watches over the guardian to make sure they are making good, fair decisions and not taking advantage of the person they are caring for.

5. Protecting the Ward's Rights and Independence

This is one of the most important parts of being a guardian—guardians do not own or control the ward. Instead, they are helpers and protectors who step in only when necessary.

Whenever possible, guardians should:

- Let the ward make their own decisions when they are able to.
- Listen to what the ward wants and respect their wishes.
- Only take over responsibilities that the ward truly can't handle anymore.

For example, if the ward can still choose what clothes to wear, what to eat, or who to spend time with, the guardian should let them. The goal is to support, not take over.

How Does a Guardian Know What to Do?

Being a guardian in Florida is a big responsibility, but you don't have to do it alone. The court will give you instructions about what decisions you can make for the person you're caring for. Every year, you must also report to the court to show that you're doing your job correctly. In Florida, guardians are required to have an attorney to help guide them through the process and make sure they follow all the rules. An attorney can answer your questions, help with paperwork, and make sure you're doing everything right to care for your loved one.

In Florida, a guardian must also:

- Take a training class to understand their duties.
- Keep records of all financial transactions (like rent, groceries, or medical bills).
- Always act in the best interest of the ward.

If a guardian does something wrong—like taking money, neglecting the ward, or making bad decisions—the court can remove them and appoint someone else. This ensures that the ward is always protected.

What If a Guardian is No Longer Needed?

Sometimes, guardianship isn't forever. If a person recovers from an illness or gains back the ability to make their own decisions, they can ask the court to end the guardianship.

Final Thoughts: A Guardian is a Protector, Not a Boss

Being a guardian is a huge responsibility because you're helping someone live their best life, even when they can't do everything on their own. It's about kindness, respect, and care—not control.

If you ever wonder whether a loved one might need a guardian, or if you just want to understand more about how guardianship works, talking to an **elder law attorney can help.**