



Case Studies in Professional Guardianship

Attorneys navigating complex cases involving vulnerable individuals often encounter situations where legal authority, care coordination, and financial oversight intersect. Nevada Guardian Services provides trusted professional guardianship support to help stabilize these matters, protect client interests, and ensure continuity of care when no appropriate decision-maker is available. The following case studies illustrate how guardianship intervention can resolve critical legal, medical, and financial challenges while upholding the highest ethical standards.

Case Study: Addressing Financial Exploitation and Medical Risk Through Professional Guardianship

Situation

An older adult was admitted to an assisted living facility with only one month of care prepaid. Shortly after admission, the individual's son, acting under a Power of Attorney, sold the client's home and depleted or transferred all remaining assets. Communication from the son ceased entirely following these actions, leaving the client without financial support, medical coverage, or an involved decision-maker.

Red Flags Identified

- No ongoing payment to the care facility
- No active medical insurance
- No contact or responsiveness from the Power of Attorney
- Evidence of asset transfers that compromised eligibility for benefits

Legal and Ethical Considerations

Because all transactions were completed under a valid Power of Attorney, law enforcement was unable to intervene. Medical benefits were initially denied due to the asset transfers, creating a significant barrier to necessary care. The client also presented with advanced basal cell carcinoma affecting the mouth and nose, requiring surgical intervention and coordinated medical decision-making.

Why a Professional Guardian Was Needed

The only known family member was unresponsive and had already taken actions that placed the client at risk. There was no responsible party to advocate for benefits, coordinate medical care, or make informed decisions in the client's best interest. A professional guardian was necessary to provide oversight, accountability, and ethical decision-making.

Outcome After Guardianship Appointment

Nevada Guardian Services applied for Nevada Medicaid benefits, because of the transfer of assets done by the Power of Attorney, Medicaid denied the request. An appeal was filed along with a request for undue hardship. Through tenacity and continued advocacy, Medicaid benefits were finally obtained. This allowed the necessary and immediate medical care and treatment to commence, which included surgical intervention and follow-up care. The client is now medically stable and resides in a long-term nursing facility with appropriate support, benefits, and ongoing oversight.

Impact

Without professional guardianship, the client would not have had access to medical benefits, coordinated treatment, or a responsible decision-maker. Guardianship provided stability, protection, and continuity of care when no other support system was in place.

Case Study: Transitioning a High-Functioning Adult with Autism to Appropriate Placement and Services

Situation

A young adult with high-functioning autism lost his primary caregiver when his mother passed away. A family friend assumed informal responsibility; however, she lacked the training, support, and resources necessary to manage his behavioral, medical, and developmental needs. The environment became unstable and increasingly inappropriate for his long-term well-being.

The individual did not have the capacity to understand or execute a Power of Attorney and was unable to enter into contracts or independently navigate housing, healthcare, or public benefits systems. Another relative resided out of state and was unable to provide oversight.

Red Flags Identified

- Informal caregiving arrangement without legal authority
- Caregiver expressing fear and inability to manage behaviors
- No coordinated medical oversight

- No structured developmental or vocational programming
- Lack of access to appropriate state services

Legal and Capacity Considerations

The individual lacked contractual capacity and the ability to execute legal documents such as a Power of Attorney. Without court appointment, no responsible party had legal authority to coordinate services, consent to medical care, or pursue state-funded support programs.

Why a Professional Guardian Was Needed

Guardianship was necessary to:

- Establish lawful decision-making authority
- Secure appropriate residential placement
- Coordinate medical providers
- Advocate for state developmental services
- Ensure ongoing oversight and accountability

Outcome After Guardianship Appointment

Following the appointment, Nevada Guardian Services coordinated enrollment with the appropriate programs and secured stable housing with peers of similar age and functioning level. Medical providers were established to manage health and behavioral needs. The individual was enrolled in structured work programming and now maintains stable housing, consistent medical care, and meaningful daily engagement.

Impact

Guardianship transitioned the individual from an unstable informal placement to a structured, supportive environment that promotes independence while ensuring safety and medical stability.

Case Study: Stabilizing Care for a Behaviorally Challenging Adult with Distant Family

Situation

An adult male with significant behavioral challenges had two adult children who lived out of state. Due to aggression, refusal of care, and difficulty engaging with staff, he had been transferred between multiple facilities.

He frequently refused hygiene, rejected medical treatment, and exhibited behaviors that jeopardized his placement stability.

Red Flags Identified

- Repeated facility transfers
- Refusal of medical and personal care
- Escalating behavioral incidents
- Limited in-person family oversight
- Risk of discharge without a responsible decision-maker

Legal and Capacity Considerations

Although he had adult children, they were unable to provide consistent oversight or attend to day-to-day decision-making. A Power of Attorney was not effectively functioning to manage facility coordination or behavioral advocacy.

Why a Professional Guardian Was Needed

Guardianship was required to:

- Provide a consistent, legally authorized decision-maker
- Coordinate behavioral strategies with facility staff
- Ensure continuity of placement

- Monitor medical compliance
- Maintain regular communication with family

Outcome After Guardianship Appointment

A consistent visitation schedule was implemented. Behavioral strategies were developed in collaboration with facility staff. Ongoing oversight and structured communication improved compliance with hygiene and medical care. Behavioral incidents decreased, and the individual has maintained placement stability.

Impact

Professional guardianship provided continuity, accountability, and structured advocacy, reducing risk of further displacement and improving overall care acceptance.

Case Study: Protecting a Vulnerable Adult with Dementia from Financial Risk

Situation

An elderly woman with progressive dementia resided in a group home setting. Her cognitive decline significantly impaired memory and financial awareness. Following the death of her spouse, she had no active family oversight.

The group home was involved in handling certain financial matters, creating potential conflicts of interest and risk of exploitation.

Red Flags Identified

- Advanced cognitive impairment
- Absence of responsible family oversight
- Blurred lines between residential care and financial management

- Increased vulnerability to financial exploitation

Legal and Ethical Considerations

The individual lacked capacity to manage finances or understand financial transactions. Separation between fiduciary responsibilities and residential care providers was necessary to reduce risk of exploitation and ensure compliance with ethical standards.

Why a Professional Guardian Was Needed

Guardianship was necessary to:

- Establish independent financial oversight
- Protect against potential exploitation
- Coordinate medical and residential care decisions
- Provide consistent in-person monitoring

Outcome After Guardianship Appointment

Financial management was separated from the care provider. Ongoing oversight was implemented. The client remains in an appropriate residential setting with structured monitoring of finances and healthcare coordination.

Impact

Guardianship mitigated exploitation risk and ensured ethical financial oversight while maintaining stable residential and medical care.

Case Study: Supporting Independence While Planning for Increased Care Needs

Situation

An older adult woman without family support resided independently in a senior apartment. She valued autonomy and wished to remain independent. Over time, her care needs increased, raising concerns regarding safety and long-term planning.

She required guidance in navigating housing options, healthcare coordination, and risk management.

Red Flags Identified

- No family support system
- Increasing care needs
- Risk of decline without structured oversight
- Limited long-term planning

Legal and Capacity Considerations

While initially capable of participating in decisions, she required a legally authorized representative to ensure continuity of care planning and future transitions as her needs evolved.

Why a Professional Guardian Was Needed

Guardianship provided:

- Structured care planning
- Ongoing risk assessment
- Coordination of medical services
- Housing transition support when higher levels of care became necessary

Outcome After Guardianship Appointment

The client was supported in maintaining independence as long as safely possible. When increased supervision became necessary, she transitioned to a group home setting providing 24-hour support while preserving personal space and dignity.

Impact

Guardianship ensured a gradual, planned transition rather than a crisis-driven placement, preserving autonomy while prioritizing safety and continuity of care.