

Danielle DaRos, Danielle, The Deciders: How vulnerable adults end up in guardianships CBS 12 News (Nov. 22, 2024),





Hi Danielle,

The Fifteenth Judicial Circuit does not have a list of names to an examining committee.

Stanley Bloom, M.D.

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Marsha Jackson, B.A.
Gerald Mahoney, B. A.
Robert Otto, Ph. D.
Rosalyn Roker, Ph. D.

Thank you!

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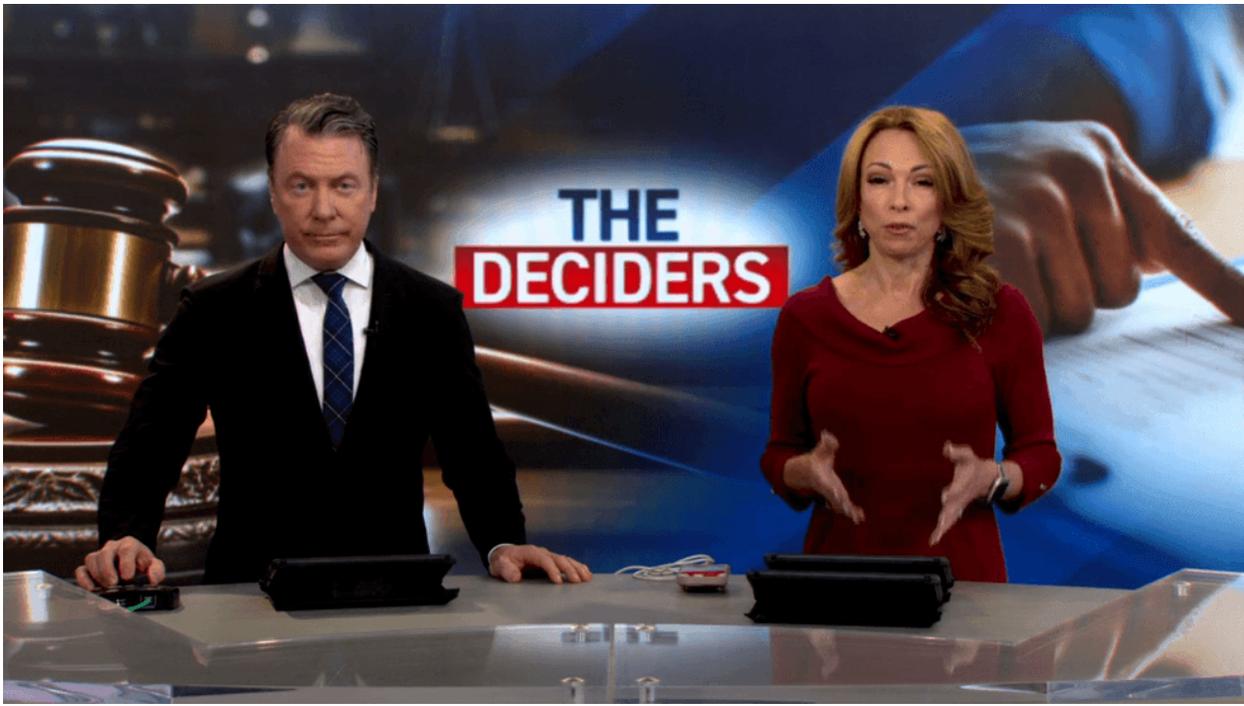
15TH JUDICIAL CIRCUIT



PHYSICIANS/PSYCHIATRISTS

PSY.D

Stanley Bloom, M.D.
Paul Bryan, Ph.D.
M. Brennan Cheshire, Ph.D.
Cathy Colet, Psy. D.
Michael Collins, Ph. D.
Stewart Gross, M.D.
Marsha Jackson, B.A.
Gerald Mahoney, B. A.
Robert Otto, Ph. D.
Rosalyn Roker, Ph. D.



Patricia Sahm is a senior citizen living in Boca Raton who is fighting an incapacity order in guardianship court (WPEC).

BOCA RATON, Fla. (CBS12) — South Florida has a large elderly population, and many with significant wealth. If they find themselves incapacitated by an accident or health problems, they may wind up before the state's guardianship court.

As the CBS12 News I-Team has been reporting for years, this system, which strips vulnerable adults of their rights and freedoms, puts a guardian in charge of all healthcare and financial decisions. Too often, it leads to theft and abuse.

We've told you how difficult it is to get out of a guardianship, but how does someone get in one in the first place?

It all starts with a petition of incapacity, filed in probate court, usually by a friend, family member or caregiver. The petitioner tells a judge that they believe the person they are concerned about can no longer care for themselves.

From there, a judge appoints a three-person panel called an Examining Committee to meet with the allegedly incapacitated person and perform an evaluation.

Under Florida law, at least one examiner on the panel should be a medical doctor. The other two can be social workers, health care professionals, or even lay people.

According to Dr. Sam Sugar, an expert in guardianship abuse, approved evaluators take a four-hour course before they can serve on these committees. That course does not instruct the evaluator which questions to ask, or how long their examinations should be.

Dr. Sugar says sometimes the examinations are as short as 15 minutes long and take place in locations like restaurants. He says family is not allowed to attend.

"We frequently find people with credentials that aren't the best, being appointed to these examining committees," Dr. Sugar said.



Dr. Sam Sugar is one of the nation's top experts in guardianship abuse. He's also a medical doctor who has performed capacity evaluations. He says at times, judges appoint evaluators with questionable credentials to perform these evaluations.

Typically, circuit courts have a list of approved Examining Committee Members in a pool for the judge to pull from.

According to public records obtained by the I-Team, the 15th Circuit Court in Palm Beach County and the 19th Circuit Court on the Treasure Coast has lists of approved examiners that includes 16 names. While many were psychologists and psychiatrists, others did not appear to have education and training in mental health. We found an OBGYN from Miami on the list, as well as a retired urologist in Wellington.

That urologist is named Dr. Stanley Bloom. According to court filings he is 86 years old and not licensed to practice medicine in Florida.

We reached out to him to ask how his career in urology qualifies him to evaluate capacity, but he told us he was not interested in talking.

The I-Team wanted to ask him about one of his recent evaluations, which has been called into question.

Several months ago, he met with now 83-year-old Patricia Sahm to evaluate her capacity.

Patricia lives an active life in Boca Raton. She goes on walks two times a day, lives in her own home, and does a lot of tasks independently.

"I've kept myself fairly sharp," she told the I-Team. "I go out and walk to keep sharp, physically and mentally."

A family member filed a petition of incapacity to put her in a guardianship, and a Palm Beach County judge appointed Dr. Bloom, and two others, to be her evaluators.

According to Bloom's report, he did not meet with her in person, only by Zoom. He wrote in his report that he believed she has dementia due to short-term and long-term memory loss. He cited her problems solving math problems -- but Patricia told us she has always been bad with numbers. Bloom told the judge Patricia did not know the name of the President of the United States. She told us she knew Trump has just won the election.

Despite all she manages to do on her own, Bloom recommended she lose all her rights and be placed in a full guardianship.

His recommendations went further than the other two panelists. The psychologist evaluating her said she had "mild cognitive impairment," while a third evaluator recommended the "least restrictive options."

The judge decided to move forward with a guardianship, and Patricia's lawyers are fighting the incapacity order in court. Her case is ongoing.

"I don't think I'm as 'out to lunch' as some people might want to put me," she said. "Mentally, I know where I am. I know where I live. I can get down the street if I need to go to the grocery, stuff like that. I'm not saying this to be obnoxious, but I'm better than a lot of people my age. A lot better."

Dr. Sugar, who is a medical doctor, was asked to meet with Patricia and perform his own evaluation. He told a judge that he found her memory lapses to be "age appropriate," and urged the court to reconsider its decision to put her in the guardianship system.

"You are talking about someone's life," he said. "You take away someone's rights, and they are dead in the law."

Over the years, the I-Team has profiled former wards of the state who say their guardianship examining committee clearly got it wrong, when they told a judge they were incapacitated and should lose all their rights.

Former ward [Michael McCreight](#), who has a developmental disability, was put into a restrictive guardianship when he aged out of the foster care system. With the help of a lawyer, he convinced a judge to reverse the incapacity decision, and he now lives on his own, has a job, and even lobbies in Tallahassee for changes in Florida's disability laws.

Former ward [Jan Garwood](#) was determined to be incapacitated and placed in a memory care facility. She reached out on social media to advocates, who helped her get a new capacity evaluation that set her free. She now lives with family in the Orlando area and is working to get her life back in order after her guardian sold her home, car, and personal property.

"People need to know about this system, understand how it works, and avoid it like the plague," Sugar said.