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**Representative Harris Files Legislation to Reform Florida's
Guardianship System**

TALLAHASSEE, Fla. - State Representative Rita Harris (D-Orlando) has filed [House Bill 887](#), which would specify visitation and guardianship rights for court-determined incapacitated persons. This bill takes a step to improve Florida's guardianship system.

If passed, **HB 887**, also cited Karilyn's Law in memory of Karilyn Montanti, a senior and victim of the current shortcomings of Florida's guardianship system, would establish rights for court-determined incapacitated persons to have a full reevaluation every three years of the need for guardianship. Additionally, this bill and its Senate companion, [SB 48](#) by **Senator Ileana Garcia**, would require public guardians for alleged incapacitated persons or minors to be appointed on a rotating basis.

Kat Duesterhaus, the Florida NOW Legislative Director and personal advocate for guardianship reform, supports the proposed legislation: "If this law had already been in effect, with provisions against isolation and a structured jury review process, my grandmother might still be alive today. The proposed legislation is not just a legal remedy; it's a lifeline for vulnerable individuals, preventing the kind of isolation, neglect, and abuse that led to my grandmother's tragic demise last year," said **Duesterhaus**. "Let our collective call for guardianship reform echo loud and clear – it's time to protect the voiceless and ensure that no one else suffers as my grandmother did."

HB 887/SB 48 would also require that visitation rights of a minor, ward, or incapacitated person be permitted unless there is clear and convincing evidence that visitation is not in the best interest of the minor, ward, or incapacitated person.

"The goal of this bill is to alleviate several concerns with the guardianship system that we have been hearing from parents, grandparents, and concerned family members. Countless advocates have come to me with personal stories of how this system has failed them, so I am proud to file this bill to clean up those problems. This bill codifies into law the practice of doing what is best for a child, incapacitated person, or elder if they require legal guardianship," said **Representative Harris**.

If passed, this new practice would take effect on July 1, 2024. Florida's next legislative session is set to begin on January 9, 2024.

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