



ANNUAL REPORT - 2025

OFFICE OF THE PUBLIC GUARDIAN



**STATE OF DELAWARE
OFFICE OF THE PUBLIC GUARDIAN**

Kent County Courthouse
38 The Green
Dover, DE 19901

(302) 674-7460
Fax: (302) 674-7461

A Letter from the Public Guardian:

On behalf of the Office of the Public Guardian, I submit the Annual Report for the office for the year 2025.

Alexandra McFassel, Esq.
Public Guardian

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THE OFFICE OF THE PUBLIC GUARDIAN

I. INTRODUCTION:

The Office of the Public Guardian, or OPG, provides guardianship services when appointed by the Court of Chancery for both person and property where no one else is willing or able to act as guardian, and pursuant to that service, makes decisions regarding the care, medical needs, and residence of individuals, as well as managing their income sources and assets to pay for the cost of care and living expenses to support these individuals in a wide range of living circumstances, from skilled nursing facilities to homes in the community, and make certain they qualify for and receive supportive services and benefits. OPG also provides a home for the Guardianship Monitoring Program which annually monitors approximately 350 cases (over ten percent) of the adult guardianship cases in the Court of Chancery, and provides staffing and support resources for the Delaware Guardianship Commission.

OPG has a total staff of 12 FTE positions and one part-time Casual Seasonal exclusively supporting the Guardianship Monitoring Program for the Court of Chancery. OPG has over 200 appointments for person and over 150 appointments for the property, manages over 4 million dollars in income for these individuals annually, and manages over two million in client resources held in approximately 180 accounts. Guardian Case managers for the person, as well as the Public Guardian, the Deputy Public Guardian, and the Guardianship Advocacy Director are also on-call personnel for the

Agency's Emergency Hotline, ensuring that the individuals OPG serves have case management 24/7, 365 days a year. Each on-call staff member will serve over 9 weeks of 24 hour service for the hotline annually.

II. OVERVIEW OF 2025 MAJOR ACHIEVEMENTS:

In addition to ongoing work protecting those most in need of help, and making regular decisions regarding the health care and finances of those individuals OPG is appointed as guardian for, one of 2025's most significant successes was conversion of the computer based financial case management database to a web-based program, or "Software as a Service" (SaaS). This conversion was completed in October 2025. Ongoing funding was part of the budget request for OPG for FY27.

OPG continues to act as guardian where appointed by the Court of Chancery in guardianships of person and property. Due to resource limitations, OPG is currently only accepting urgent to emergent cases of medical exigency or financial exploitation, or cases in which the Court appoints the agency without referral.

III. GOALS AND OBJECTIVES

OPG's first priority is to obtain annualized funding for the Web-Based Software as a Service (SaaS) system currently utilized for case management. OPG obtained a one-time supplemental appropriation in the FY26 Budget which allowed OPG to transition to the Cloud Based service provided by SEM Applications. The old system was being phased out by the SEM over the course of the year, was not receiving maintenance or updates, and was experiencing an increasing number of technical issues.

Transition to the Web-Based system was completed in October of this year and already increased the efficiency of the agency in managing finances, reconciling bank statements, and providing immediate, secure,

essential information to staff wherever they need it and have access to the internet. On-call personnel benefit from having vital health information and history more efficiently accessible to them, even in the middle of the night, allowing them to provide critical information and consents to health care providers. Continuing access to this case management system is essential to OPG daily business, we cannot provide services to our people without it.

OPG's second priority is for a new FTE, a Guardian Case Manager (GCM). Currently OPG has only three state-wide GCM's responsible for overseeing and providing medical and care consents. This is a difficult economic climate in which to request an FTE, but it is tough to meet the growing needs of Delawareans without additional staff. OPG has not received new positions through the budget request process in over 20 years.

The third priority for OPG is the conversion of a casual seasonal position, funded by OPG for 29.5 hours per week, which supports the Guardianship Monitoring Program for the Court of Chancery doing routine monitoring of the adult guardianship civil miscellaneous cases. The program currently, in conjunction with the Guardianship Advocacy Director, provides monitoring for over ten percent of docketed cases (approximately 350) annually to the Court of Chancery. This oversight supports the Court of Chancery in knowing these individuals are safe and cared for under the appointed guardian. Conversion to an FTE should increase capacity by 22% to approximately 425 cases annually.

Finally, OPG is looking forward to continued work with the Joint Legislative Oversight and Sunset Committee to continue work on revising the Delaware Guardianship Commission.

IV. PERFORMANCE MEASURES:

	<u>2025</u>	<u>2024</u>
Referrals:	97	98
Referrals Accepted :	24	34
Source of referral/appointments:		
Hospitals		22
Court of Chancery		7
Nursing Facility		3
State Agency		5
Current Year Guardianships:	233	246
Financial Appointments:	184	190
Guardianship Monitoring Program (GMP):		
(GMP) appointments:		
Reports of the Director:	22	35
Analyst Reports:	251	486
Legal Case Management		
Total OPG/GMP legal filings:	973	819
Reports Filed:	199	219
Accountings:	159	138
Financial Case Management		
Accounts Managed	265	299
Resources Managed	\$2,891,058.48	\$2,239,087.67
Income Managed	\$4,933,363.48	\$4,354,430.00

V. FEE COLLECTION

OPG continues to collect fees pursuant to statute and Court of Chancery Standing Order No. 10 in cases where the individual's financial resources are deemed sufficient. Pursuant to Court of Chancery approval to allow OPG to collect the Organizational Representative Payee fee in those qualifying cases, in calendar year 2025, OPG collected \$7,938.00 in fees. Funds are dedicated for indigent use for OPG clients, educational programs, OPG use where needed for contractual services, and potential fee-for-service support.

In July 2025, after the State Operating Budget was approved and OPG only received a one-time appropriation for the implementation of the critically needed case management system upgrade, a request was made to, and approved by, the Delaware Guardianship Commission to reserve funds from collected fees in the event annualized funding was not approved in the FY27 budget. At that meeting the balance of fees collected for FY 24 was \$3,400.00 and for FY25 \$10,098.00.

Collected fees have been used for indigent clients, and the Commission is discussing an educational seminar.

VI. CONCLUSION

The population growth in the over 65 age-group and the continued impacts of dementia on the elderly populations create increasing needs in elderly populations, and there continue to be urgent cases across the spectrum due to medical urgency or financial management needs. OPG looks forward to meeting these challenges and working to achieve our goals in 2025.