



NEW YORK STATE SENATOR

Anthony H. Palumbo

## Senator Palumbo and Families Push for Guardianship Reform Urge Passage of Karilyn's Law in 2025

ANTHONY H. PALUMBO January 21, 2025



In the wake of several high profile guardianship abuse cases, including Wendy Williams speaking out about her forced conservatorship and New York Attorney General Letitia James investigation into guardianship providers, Senator Anthony Palumbo (R,C-New Suffolk) is renewing his efforts to reform New York's Guardianship system through the passage of Karilyn's Law. The legislation provides a mechanism allowing family members and friends to visit loved ones under guardianship and conservatorship. The bill is named after Karilyn Montanti, a senior and victim of the guardianship system, whose loved ones

had been denied visitation rights.

Karilyn's Law prevents a guardian, care manager, or power of attorney from arbitrarily terminating visitation rights and isolating vulnerable individuals who are being held in involuntary guardianship. The bill provides for the ward or family members, who have been denied their due process rights, to be heard and have an evidentiary hearing before the court within 10 days of bringing an application.

"New York's guardianship system needs to be overhauled to protect some of the State's most vulnerable residents from forced isolation and provide them with the ability to see loved ones and friends," **said Senator Anthony Palumbo**. "The denial of visitation rights is just one component of the guardianship abuse we are witnessing throughout New York, but it is the most inhumane and must be addressed in 2025."

**Chrisine Montanti, daughter of Karilyn Montanti and a Guardianship Advocate said:** "I have been living a complete nightmare for several years as my mother is in a constant state of torture and I am powerless to save her. My mother was blocked and denied access to her entire family, friends and only grandchild without having an evidentiary hearing and without due process. I am grateful to Senator Palumbo for his continued efforts to pass Karilyn's Law and as a champion of guardianship reform. His work to safeguard New York State's most vulnerable individuals will help prevent other families from having to endure the horrific ordeal that I have been facing for nearly a decade."

"If this can happen to me and my family this can happen to anyone. We have been blocked from contacting my mother and aunt by phone, I personally have no visitation rights to my mother, and I have been threatened with jail time while trying to get my mother back to her home in New York. The guardianship system needs to be reformed, and I urge the legislature to pass Karilyn's Law this year," **said Illana Musikar**.

"My mother screamed you are breaking my arm as she was dragged out of her home against her will and placed in a memory-care facility in Irondequoit New York. No doctor or judge said she was mentally incompetent. She was denied the right to make phone calls, have visitors of her choosing and was drugged against her will. If Karilyn's Law had been in effect, I could have helped her and brought her home. Instead, she died alone on a narrow bed at the facility. We need to pass Karilyn's Law and provide greater protection for vulnerable New Yorkers like my mom," **said Jonathan Farley.**

"New York's guardianship system is in dire need of reform to protect our most vulnerable citizens from exploitation and abuse. Karilyn's Law is a critical step forward in ensuring that families are not unjustly torn apart by guardianship decisions made without accountability or due process. Growing public awareness and attention to the abuses within the guardianship system highlight the urgency of addressing these failures. By passing Karilyn's Law, we can prevent other families from enduring the heartbreak and injustice that so many have already faced under the current system." – **Senator George Borrello, 57th District.**

"Karilyn's Law is long overdue and is a simple change to improve the State's guardianship system. The legislation will help close a loophole that has allowed guardians with extreme power to deprive individuals of their visitation rights and will reunite family, friends and loved ones. It is the compassionate and right thing to do for the countless families navigating the guardianship system," **concluded Senator Anthony Palumbo.**