

## **Working Interdisciplinary Network of Guardianship Stakeholders**

### **December 9, 2015 summary minutes:**

#### **Attending:**

David Connors  
James Brady  
Wendy Fayles  
Shannon Alvey  
Lisa Thornton  
Kent Alderman  
Joanne Bueno Sayre  
Patricia Vigo  
Helena Rosales  
Rob Denton  
Karolina Abuzyarova  
Nancy Sylvester  
Holly Kees

#### **Excused:**

Nan Mendenhall  
Nels Holmgren  
Daniel Musto  
Julie Rigby  
Ellen Silver

#### **Welcome, approval of minutes, announcements**

The minutes from the October 2015 were approved. The committee discussed the proposed legislation to remove representation for minors when parents are petitioning for guardianship. Most participants agreed that with the Guardianship Signature Program being established, where a means-based representation is provided by court-appointed attorneys, the cost of representation is not a concern any longer. The representation is a required due process right.

#### **Education Subcommittee**

Kent Alderman, education subcommittee chair reported that all planned presentations have been delivered. Jania Sommers, LCSW, Director of Professional Services & Counselor, did the last presentation in November at the Liberty Senior Center, as Ellen Silver was not available due to emergency. The presentation had a turnout of about 8 attendees.

Karolina outlined the next goals to be accomplished: to produce classes for the Utah Spanish-speaking population. That would include adapting the English-version contents, setting the schedule (possibly spring 2016), and finding the presenters. Karolina then introduced the meeting's guests: Patricia Vigo and Helena Rosales. Unfortunately, Renato Olmedo, Community Liaison of the Consulate of Mexico in Utah, could not make the meeting, but mentioned that Consulate was interested in participating.

Patricia Vigo, Latino Liaison of the Utah Parent Center, was present at the meeting and spoke about the need for information in Spanish to be made available to the Latino community. She attended presentations done by Guardianship Associates of Utah in the past, and had inquired about availability of information in Spanish. Patricia is personally interested in guardianship matters, as she is a mother of a child with Down's Syndrome. Patricia mentioned that there is a sense of fear from undocumented immigrants as it relates to approaching the courts.

## **WINGS**

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Nancy Sylvester said that court guardianship services are available for undocumented immigrants under the open courts provision of the Utah Constitution. Utah Constitution, Article I, § 11: "All courts shall be open, and every person, for an injury done to him in his person, property or reputation, shall have remedy by due course of law, which shall be administered without denial or unnecessary delay; and no person shall be barred from prosecuting or defending before any tribunal in this State, by himself or counsel, any civil cause to which he is a party". Under Utah Code section 75-5-302, venue is proper where the incapacitated person resides or where they are institutionalized pursuant to court order.

The subject then changed to reaching out to the Latino community and to advertise the scheduled classes. Judge James Brady mentioned that while the services are available there might be fear to utilize them. Patricia Vigo mentioned that while some families don't have Internet, TV announcements or programs could be very helpful. Helena Rosales, Volunteer Court Visitor, who is Spanish speaking, responded that outreach might be better done through the community-based organizations. Karolina agreed that the connections made with the Centro de La Familia, Comunidades Unidas, and Mexican Consulate will make the outreach possible.

Judge Connors redirected the discussion to contents and scheduling, which have to be addressed first. Karolina mentioned that part of the guardianship webpages was already translated. The Committee then discussed the Online Court Assistance Program (OCAP) and how it could possibly be translated. Nancy Sylvester said she can bring it up to the Committee on Resources for Self-Represented Parties. Judge Brady recommended referring parties to the forms sections of the Courts' website that could be translated. Judge Brady also indicated that in his practice in the 4th district, he had seen forms filled out in two languages, both English and Spanish. Judges discussed that the forms have to be approved by the Board of District Court Judges. Modifications of the forms are done by the Forms Committee, consisting of Brent Johnson, Mary Jane Ciccarello, and Jessica Van Buren. Translation of the court documents is done by the Interpreter department.

### **Updates**

Nancy Sylvester reported about the CLE held in December on Guardianship Signature Program that had a great turnout of almost 100 participants. The CLE was recorded and will be available on the Court's YouTube channel, and the Guardianship Signature Program webpage.

Karolina read Mary Jane's update regarding the Utah Commission's on Aging work group meeting on November 2015 to investigate financial fraud and exploitation of vulnerable adults. The work group will hold monthly meetings and present its report to the Commission in June.

Holly Kees provided an update on the Court Visitor Program . She reported the backlog of cases, that there are 53 active volunteers. Holly also reported on a St. George visit and presentation with Karolina Abuzyarova to the Southern Utah Bar Association.

Lisa Thornton brought up a concern regarding reporting provided by siblings, as well as having contested hearings in presence of parties outside the case. Judge Brady recommended asking the bailiff or clerk to move the case to the beginning or end of calendar. In addition, Lisa shared information about a partnership project with Lehi City and the University of Utah in constructing a new center in Lehi and offering a lifetime college classes for adults with disabilities.

### **Annual Assessment Meeting**

A final decision on the logistics of the Annual Assessment meeting will be made at the WINGS Executive Committee meeting in January 2016.

**2016 Schedule:** 4th Wednesday: Feb. 24, April 27, June 22, Aug, 24, Oct. 26, Dec.28.