

Working Interdisciplinary Network of Guardianship Stakeholders

February 24, 2016 summary minutes

Attending: David Connors, James Brady, Karolina Abuzyarova, Nancy Sylvester, Holly Kees, Kent Alderman, Rob Denton, Nan Mendenhall, Nels Holmgren, Shannon Alvey, Daniel Musto, Claire Mantonya, James Toledo, Wendy Fayles, Tom Langhorne

Excused: Ellen Silver, Mary Jane Ciccarello, Patricia Vigo

Welcome and Achievements of Constituent Organizations

Judge Connors welcomed participants to the special annual assessment meeting and introduced the facilitator, Tom Langhorne, Director of the Judicial Institute. Mr. Langhorne asked participants to share success stories from their organizations.

National Alliance on Mental Illness (NAMI) representative, Wendy Fayles, shared that she doesn't see many guardianship cases, but when she does, she provides referrals and now knows where to direct clients. Some of the best resources she learned about were Jewish Family Service and Disability Law Center.

Nels Holmgren of the Division of Adult and Aging Services (DAAS) appreciated the networking opportunities provided from the guardianship point of view. Nan Mendenhall from Adult Protective Services (APS) praised improved collaboration with the Courts, in particular through the Court Visitor Volunteer Program that made it easier to get into the court system. APS is also working on SLEAP grant (Salt Lake Elder Abuse Project) in partnership with the SLCPD and other agencies to seek emergency shelter for the elderly victims of abuse and exploitation.

Kent Alderman shared the following accomplishments: launch of the Guardianship Signature Program with over 50 volunteer attorneys signed up for representing vulnerable adults. Kent also informed about the joined efforts of Elder Law Section and Estate Planning Section of the Utah State Bar in promoting uniform probate statutes in the legislative branch. In addition, Kent brought up the publication of the article on reimbursement on medical evaluation of Incapacity in medical magazine and the Utah Bar Journal written in partnership with Norman Foster and Robert Denton. The article provided information on billing codes to be utilized by medical professionals when making capacity evaluation for guardianship proceedings.

Guest Presenter

Robert Steed, Director of the Medicaid Fraud Control Unit of the Attorney General's Office, was a guest presenter. Presentation went over the structure of the office, eligibility of the cases limited to abuse in board and care facilities, referral policy – mostly coming from Adult Protective services. Cases outside board and care facilities are investigated by the County Attorney's Office. Mr. Steed provided examples of the cases the unit investigates. The office operates with the value of preserving human dignity.

WINGS Self-Assessment

Committee agreed that WINGS has made significant progress, is meeting the set objectives, and is a valuable resource for the participants. Committee discussed how to measure WINGS's successes and failures in future. Rob Denton outlined projects that he was involved with as possible measure of success: three articles published in the Utah Bar Journal after the Utah Guardianship Summit, a pool of attorneys participating in the Guardianship Signature Program. Mr. Denton talked about participation of WINGS members in bimonthly meetings and the work of subcommittees.

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Facilitator Tom Langhorne recommended looking at the United Way's "Measuring Program Outcomes: A Practical Approach" (1996) about measuring social outcomes. Mr. Langhorne noted that one of the measures of success was seeing the subject of guardianship perceived more openly at the judicial conferences.

WINGS Proposed Strategic Goals:

1. Adopt national guardianship standards as part of the probate statutes that will provide guardians with information on the appropriate conduct and decision-making standards towards the adults with diminished capacity: supported decision making and person centered planning. Develop an infrastructure for supported decision-making.
2. Increase limited guardianship appointments: judges request a thorough medical evaluation and limit guardian's decision-making to a specific area of person's life.
3. Build capacity of the judiciary in addressing matters that involve adults with diminished capacity: continue providing ongoing education, encourage to seek latest information through the national agencies: ABA Commission on Law and Aging, National Center for State Courts, National College of Probate Judges.
4. Provide educational support to family guardians: offer information on navigating the system and direct to the resources when the guardianship is appointed. Collect and incorporate feedback from the public on their experience navigating the system/website.
5. Identify and report measurable outcomes for the Court Visitor Program and Signature Program.
6. Offer guardianship cross training to the professionals in the participating agencies: APS, NAMI, Office of Indian Affairs, facilities, etc.
7. Provide link to the Utah State Courts guardianship web pages on participating organizations' websites or include information on court services into newsletters.
8. Estimate the traffic on the court's guardianship web pages.
9. Monitor and report the number of guardianship petitions and the number of existing guardianship cases on a quarterly and yearly basis.
10. Identify ways how state courts and tribal courts can collaborate: raise awareness about abuse and neglect of vulnerable adults and a need to report.
11. Establish transitioning housing for individuals with mental illness, in the situations when they cannot stay at the hospital anymore and do not have a willing family to stay with.
12. Streamline APS related statutes to minimize the red tape: clarify the role of APS and its ability to provide protective services in emergency situations.

At the next meeting on April 27, the Committee will prioritize the goals.

Meeting schedule in 2016: April 27, June 22, August, 24, October 26, December 28.