

Working Interdisciplinary Network of Guardianship Stakeholders

June 20, 2019 Summary Minutes

Attendees: Nels Holmgren, Daniel Musto, Robert Denton, Kaye Lynn Wotton, Cora Gant, Michelle Wilkes, Keith Kelly, Karolina Abuzyarova, Michael Drechsel, Dustin Hammers, Nicholas Stiles, Shane Bahr, Joanne Bueno Sayre, Xia Erickson, Andrew Riggle

Excused: Kent Alderman, James Brady, Wendy Fayles, Nan Mendenhall, David Connors, TantaLisa Clayton,

Not Attended: James Toledo, Todd Weiler

Judge Kelly chaired the meeting as WINSG Chair Judge Brady was excused from the meeting. Committee approved meeting minutes.

Evaluation of Judicial education:

At the previous meeting Andrew Riggle brought up evaluation of all the judicial outreach and education that WINGS completed within the Elder Justice Innovation grant. At the Executive Committee meeting, Judge Brady suggested sending out an email with questionnaire to the district court judges that participated in the training and volunteered to do that.

Judge Kelly stated that an assessment is needed of further judicial educational efforts, e.g.: presenting at conference for district court judges or new judges orientation. Michael Drechsel described last presentation to at the new judge orientation that was more of an informal conversation. Shane Bahr mentioned that possibly setting up mentorship arrangements might be helpful for the new judges as well as judges that are new to the probate matters. However, Shane mentioned that it might be difficult to get on the agenda for the annual judicial conferences due the process of the conference committee assigned to set the agenda and that sometimes same topics are not offered every year.

Judge Kelly mentioned that most likely the training will be needed when the law changes and possibly the Board of District Court Judges can plan such updates and make recommendations to the conference committee. The follow on the evaluation would be to get on the agenda of the Board of District Court Judges and ask for feedback of providing district court judges with all the resources that are useful and helpful on guardianship.

Probate Subcommittee update:

Judge Scott attended a meeting to provide information of the Probate Subcommittee of the Rules of Civil Procedure Committee. The subcommittee was formed a year ago to address expansion of mediation services in probate and to address concerns regarding probate hearings raised by the Utah State Bar and the public. Among some of the accomplishments of the subcommittee are: changing probate rotation of the judges in the 3rd judicial district to 2 years; adoption of the rule 26.4 specific to probate disclosure requirements of the information exchange; establishing pre-mediation conference.

Judge Scott reported that Supreme Court is interested in pulling procedures out of the statute and creating separate probate rules, as rules of civil procedure don't work in a contested probate matter. The new rules will specify how to serve, who the parties to a procedure are, what roles court visitors perform in monitoring adult guardianship cases, requirement for guardianship plan and disclosures of why limited guardianship is not preferred.

Court has a process when feedback to the new rule is solicited from the public. WINGS staff will make sure to share the link with WINGS members during the open comment period. If the new rule is created by the next meeting on August 15, 2019, it will be included in the agenda materials.

Clerical Education:

Karolina Abuzyarova opened the discussion by stating that guardianship manual for clerks was written by Tim Shea and distributed in 2013. Tim Shea together with clerks from the second and fourth districts coordinated trainings for clerical staff around the state in 2013. Manual definitely needs to be updated according to at least changes in the law. Executive Committee suggested forming a Subcommittee on clerical education. The following WINGS members that volunteered to be on the Subcommittee:

- Rob Denton
- Kent Alderman (not present)
- Xia Erickson
- Michael Drechsel
- Joanne Bueno Sayre
- Cora Gant

Judge Kelly asked Karolina to send a follow up email to the subcommittee members and remind about the charge of updating the manual and incorporating feedback from probate clerical staff.

Guardianship Signature Program update:

Karolina provided an update on Continuing Legal Education class for attorneys in St. George on June 27 to recruit new volunteers for Guardianship Signature Program. Rob Denton and Langdon Owen, members of the Guardianship Signature Program Board, will present at the class. Update: six attorneys attended and one signed up. Karolina met with Chair of the Southern Utah Bar Association, Jonathan Wentz, and he offered to help place St. George cases at the monthly CLE classes organized by SUBA. Karolina put Shane Bahr, who is covering for Karolina for the Guardianship Signature Program.

Guardianship data:

Judge Kelly asked committee to review the data of new filing attached in the materials.

Other business:

Karolina Abuzyarova, WINGS staff, announced her resignation from the position of WINGS and Visitor Program Coordinator active July 5th, 2019.