

Working Interdisciplinary Network of Guardianship Stakeholders

October 19, 2016 summary minutes

Attendees: Judge David Connors, Shannon Alvey, Kent Alderman, Karolina Abuzyarova, Nancy Sylvester, Holly Kees, Joanne Bueno Sayre, Wendy Fayles, Daniel Musto, Kaye Lynn Wootton, Andrew Riggle, Nels Holmgren

Excused: Nan Mendenhall, Patricia Vigo, Judge Brady, James Toledo

No show: Carol Fletcher, Lisa Thornton, Joseph Taylor

New Members: Committee Chair greeted the group and asked everyone to introduce themselves for the new members of WINGS. New members of WINGS included: Kaye Lynn Wootton, Assistant Attorney General, Medicaid Fraud Control Unit, and Andrew Riggle, Policy Analyst, Disability Law Center, who came on board in place of recently retired Rob Denton.

Public Education on Guardianship: Karolina provided update on the public classes on advance life planning and adult guardianship held in Vernal on August 26 and in Logan on September 30, 2016. Classes were well attended with 19 and 34 participants respectively. Judge Connors and Judge Brady attended the classes and helped facilitate the discussion. Kent Alderman taught the class in Vernal and Mary Jane Ciccarello taught the class in Logan. Karolina submitted first quarterly report to the funding agency, Center for Persons with Disabilities of the Utah State University.

Guardianship Statistics: Nancy Sylvester presented information requested from the Court Services on the total case load in guardianship and conservatorship matters. Judge Connors noted that, as he presented in his introductory remarks at the Annual Judicial Conference, general Courts' caseload is going down, however guardianship cases are the only ones that have been going up. In addition, there are active or open guardianship cases. Shannon Alvey raised a concern that the numbers presented at the August meeting and in October do not match. Nancy Sylvester noted that the document presented in August represented granted guardianships for adults and the one presented in October provides information on guardian and conservator case filings. In that respect, more cases have been filed, but less guardianship appointments were granted.

National Guardianship Standards of Practice: At the annual assessment meeting Committee identified as one of its goals that national guardianship standards were to be incorporated in Utah. Former committee member Rob Denton suggested that supported decision-making has to be part of it.

Kent Alderman pointed out that the link to the standards is on the Court's website. As of now all professional guardians are required to be certified and standards apply to their practice. However, standards do not apply to the lay guardians. What could be done, in addition to that, is to make the standards part of the Utah Code.

Shannon Alvey said that she will find out more information on what is being done in other states at the NGA conference in the end of October 2016 in Charleston, South Carolina. Andrew Riggle suggested attaching the list of standards to the testing that guardians are required to take before the appointment. Karolina noted that standards are 30 pages long. Shannon suggested that the ethical principles card could be handed out to lay guardians after the appointment by the court.

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Karolina brought up that at the WINGS Executive Committee meeting Mary Jane Ciccarello suggested creating another online training module for the public that will provide summary of the standards of practice issued by the National Guardianship Association <http://www.guardianship.org>. This new module will be published on the Court's adult guardianship webpages as part of the online guardianship training: <https://www.utcourts.gov/howto/family/gc/training.html>.

Representation of an Adult Child: Andrew Riggle suggested observing the implementation of the new Bill HB101 on the representation of an adult child in guardianship proceeding when petitioner is a parent. It will be important to provide training and more information to the judiciary on the new statute. The law does not automatically waive the representation, but leaves it to the discretion of the judge whether representation is needed. The bill was designed with an idea of the parents having best interest in the adult child's well-being and to save costs to the caregiving parent. However, evidence proves that financial exploitation and abuse still take place in guardianship cases where parent is a court appointed guardian.

Events: Karolina reported on the screenings of the film "Caring for Mom and Dad" in Salt Lake City Public Library, Uinta County Library in Vernal and upcoming screening in St. George at the DiFiore Center for the Arts.

Disability Law Center in conjunction with Developmental Disability Council and other organizations is putting together a conference "Celebration of Self-Determination" at the Red Lion Hotel in Salt Lake City on July 10, 2017.

NAMU Conference will take place on November 10, 2016.

Meetings in 2017 will be on the fourth Wednesday of the month: Feb.22, April 26, June 28, Aug. 23, Oct. 25, Dec.27. Last meeting in 2016 will be on December 14.