

Utah Working Interdisciplinary Network of Guardianship Stakeholders (WINGS)

Thursday, April 15, 2021, 12:00 pm | 2 hours |

AGENDA

	Topic	Presenter	Materials
12:00	Meeting begins		
	Welcome, Minutes, Housekeeping	Judge Kelly	<i>February 2021 Minutes (draft)</i>
12:10	Group Discussion Items:	Group discussion	
	<ul style="list-style-type: none"> • Guardianship hearings (during and post-COVID) 		
	<ul style="list-style-type: none"> • WINGS bylaws & committee status 		<i>Utah Wings Bylaws</i>
	<ul style="list-style-type: none"> • WINGS meeting post-COVID 		
1:20	WINGS Projects Updates:		
	<ul style="list-style-type: none"> • Guardianship for school purposes 	Brant Christiansen Nancy Sylvester Shonna Thomas	<i>OCAP Screenshots – Guardianship of a Minor</i>
	<ul style="list-style-type: none"> • CJA Rule 6-501 	Nancy Sylvester	
	<ul style="list-style-type: none"> • Report review coversheet 	Nancy Sylvester Shonna Thomas	
	<ul style="list-style-type: none"> • Guardianship forms revision 	Shonna Thomas	
	<ul style="list-style-type: none"> • Manuals 	Shonna Thomas	<i>Case Management for Adult Guardianship and Conservatorship</i> <i>Basic Guidelines: Court-Appointed Guardians & Conservators</i>
1:45	Other Business		
2:00	Meeting adjourned		

Next meeting:

June 17, 2021 (via WebEx)

OCAP SCREENSHOTS – Guardianship of a Minor

Guardianship of Children Interview

Interview Outline

- User Name and Password
- Basic Guidelines for Court-
- Guardian and Conservator
- Introduction
- Obtaining Guardianship
- Petitioner
- Where to File
- Child Information
 - 1: Child Information: Li
- Other Cases
- Other Caregivers
- Other Guardians Who Decli
- Other Party
- School Attendance**
- Fees
- Reduce fee and free servic
- Signing the Documents
- Your Interview is Complete
- End of Interview

School Attendance

Is this guardianship only for a minor child to attend school?

Yes
 No

If **“YES”** is selected, the interview moves to the Bonding section:

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- Your Interview is Complete
- End of Interview

Bonding

A bond is money paid into the court. It is required to insure performance of a guardian's duty, most often where there is not a separate conservator and the guardian will manage the estate of the ward.

A bond is not required for guardianship unless the court orders it.

Do you believe that bonding is necessary for the person nominated as Guardian?

Yes
 No

If **“NO”** is selected, the following question is asked:

Guardianship of Children Interview

Interview Outline x

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- Other Cases
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- Other Party
- School Attendance
- Guardianship Type**
- Bonding
- Fees
- Reduce fee and free servic
- Signing the Documents
- Your Interview is Complete
- End of Interview

Guardianship Type

Utah law allows limitations to be placed on guardianship. Consider what limitations may be appropriate in your circumstance.

Type of Guardianship

Full

Limited

If **“FULL”** is selected, the interview moves to the Bonding section.

If **“LIMITED”** is selected, a box opens up to describe the limitations, with the two sentences already entered. Then, the next screen moves to Bonding.

Guardianship of Children Interview

Interview Outline x

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- End of Interview

Guardianship Type

Utah law allows limitations to be placed on guardianship. Consider what limitations may be appropriate in your circumstance.

Type of Guardianship

Full

Limited

Describe the responsibilities and legal authority which the guardian(s) should have.

There are no limitations. This is a full guardianship with all of the duties and obligations allowed by law.

Utah WINGS

Working Interdisciplinary Network of Guardianship Stakeholders

ORGANIZATIONAL BYLAWS

MISSION

The mission of **Utah WINGS** is to bring together stakeholders from various disciplines to improve the state's guardianship and conservatorship services and processes.

OBJECTIVES

To carry out its mission, **Utah WINGS** shall:

- Support policy initiatives for the enhancement of guardianship and related infrastructure;
- Identify and develop education and outreach opportunities regarding guardianships, conservatorships, and their alternatives;
- Provide training and support to those engaging the guardianship/conservatorship system;
- Identify resources that may be available in emergency cases where persons of limited decision making capacity have no guardian;
- Promote high standards for guardians and conservators;
- Promote collaboration between **Utah WINGS** members and other stakeholders; and
- Regularly assess the needs and priorities of **Utah WINGS**'s efforts.

MEMBERSHIP

Utah WINGS will strive to maintain interdisciplinary representation of 15 members drawn from the following organizations, entities, and individuals, acknowledging that other members may be added from time to time.

- AARP
- Adult Protective Services
- Center for Alzheimer's Care, Imaging, and Research
- Centro de la Familia
- Disability Law Center
- Division of Aging and Adult Services
- Faculty member from one of Utah's institutions of higher education, such as the colleges of social work and law
- Jewish Family Services
- A law enforcement agency
- Long-term Care Ombudsman
- National Alliance on Mental Illness

- Office of Public Guardian
- A private probate attorney
- A private guardian/care manager
- A probate judge
- A resident of a rural community
- Tribal Groups
- Utah Commission on Aging
- University of Utah Center on Aging
- Utah Aging and Disability Resource Center
- Utah Healthcare Association
- Utah Parent Center
- Utah State Legislature
- Veteran’s Affairs Administration
- Volunteer Court Visitor Program

Succession Plan

While **Utah WINGS** is housed under the judiciary, the **Utah WINGS** chair shall be a judge who is well versed in probate matters. The chair shall serve a term of three years—with an option to renew for a subsequent term—and at the conclusion of his or her service, appoint a successor with the same, or similar, qualifications.

Individual members shall serve a term of three years, and may serve up to two terms at the Executive Committee’s election. When a vacancy arises, a new member who can provide the same or similar representation shall be sought within sixty days. Individuals serving as representatives of their organizations may continue to serve for a longer term, as determined by their organization. Members are expected to attend the meetings and may be released from the committee by the chair for failing to attend three meetings in a calendar year.

MEETINGS

Full Utah WINGS meetings

Utah WINGS shall meet approximately every two months. The meeting agenda shall be determined by the executive committee and circulated in advance of the full meeting.

Executive Committee

While **Utah WINGS** is housed under the judiciary, the Executive Committee shall consist of the **Utah WINGS** chair, the Court Visitor Coordinator, a staff attorney from the Administrative Office of the Courts, and up to three members of **Utah WINGS**, as determined by the chair.

Annual Open Invitation Meeting

Every November, or on some other annual basis, **Utah WINGS** shall invite to its full meeting community members and agency partners who are not **Utah WINGS** members but who engage with guardianship or conservatorship issues on a regular basis. The purpose of this annual meeting shall be to raise awareness of **Utah WINGS**’s efforts, to listen to the challenges facing those dealing with guardianship and conservatorship issues, and to identify potential projects that

fall within the bounds of **Utah WINGS**'s objectives. This section is not intended to limit the ability of guests to attend and participate in **Utah WINGS**'s other regular meetings throughout the year.

Annual Assessment Meeting

Every January, or on some other annual basis, **Utah WINGS** shall hold an assessment meeting to determine how well the committee is meeting its objectives and whether **Utah WINGS**'s needs and priorities have—or should be—changed.

Sub-Committee Assignments

Standing and ad hoc sub-committees shall be created for the purpose of carrying out the objectives of **Utah WINGS** and will meet as necessary, either in person or by electronic means. The Executive Committee shall review sub-committee projects for consistency with **Utah WINGS**'s objectives, particularly within the judiciary's constraints. A *standing education sub-committee* is hereby created.

Quorum

A simple majority of members present shall constitute a quorum for purposes of voting on and approving **Utah WINGS** minutes and all **Utah WINGS** projects.

CONSTRAINTS ON THE JUDICIARY

Utah WINGS recognizes that the following activities may be important to its members, but as long as **Utah WINGS** is housed under the judiciary, which must maintain its neutrality, the group may not engage in them as official **Utah WINGS** projects:

- Advocate for the rights of individuals with decisional impairments;
- Promote independence to the greatest extent possible for those experiencing incapacities, unless it takes the form of public education about alternatives to guardianships and conservatorships or established standards for a guardian's conduct;
- Lobby the legislature for changes to guardianship policy; and
- Any other activity that may call into question the judiciary's neutrality.

Individual members may engage in these activities on behalf of their own organizations.