



# Administrative Office of the Courts

Chief Justice Matthew B. Durrant  
Utah Supreme Court  
Chair, Utah Judicial Council

February 28, 2022

Ronald B. Gordon, Jr.  
State Court Administrator  
Catherine J. Dupont  
Deputy Court Administrator

## MEMORANDUM

**TO:** Judicial Council  
**FROM:** Judge Keith Kelly – WINGS Chair  
Shonna Thomas, Program Coordinator - GRAMP  
**RE:** Utah WINGS – Annual Report

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The Working Interdisciplinary Network of Guardianship Stakeholders (WINGS) committee is a problem solving body that relies on court-community partnerships to:

- Oversee guardianship practice in the Courts;
- Improve the handling of guardianship cases;
- Engage in outreach/education; and
- Enhance the quality of care and quality of life of vulnerable adults.

WINGS is effective through participation of key stakeholders who understand and are in a position to improve the Courts' guardianship processes.

### WINGS Executive Committee:

1.	Keith A. Kelly	Judge, WINGS Chair	3 <sup>rd</sup> District
2.	Brant Christiansen	Attorney/Partner	Lewis Hansen Law Firm
3.	Nels Holmgren	Director	Division of Adult and Aging Services
4.	Nan Mendenhall	Director	Adult Protective Services
5.	Andrew Riggle	Public Policy Analyst	Disability Law Center
6.	Shonna Thomas	Program Coordinator - GRAMP	Administrative Office of the Courts
7.	Michelle Wilkes	Court Visitor Program Coordinator	Administrative Office of the Courts

### **WINGS Steering Committee:**

8.	James Brady	Judge	4 <sup>th</sup> District
9.	David Connors	Judge	2 <sup>nd</sup> District
10.	Shane Bahr	District Court Administrator	Administrative Office of the Courts
11.	Deborah Brown	Professional Guardian	Guardianship & Conservator Services
12.	TantaLisa Clayton	Attorney / Director	Utah Legal Services
13.	Katie Cox	Attorney	Disability Law Center
14.	Rob Denton	Attorney	Attorney at Law
15.	Rob Ence	Director	Utah Commission on Aging
16.	Xia Erickson	Director	Office of Public Guardian
17.	Wendy Fayles	Criminal Justice / Mentor	National Alliance on Mental Illness
18.	Leslie Francis	Attorney	University of Utah Law School
19.	Michelle Miranda	Clinical Neuropsychologist	University of Utah School of Medicine
20.	Daniel Musto	Administrator	Long-term Care Ombudsman
21.	Alan Ormsby	State Director	AARP
22.	Danaka Robles	Judicial Case Manager	4 <sup>th</sup> District
23.	Keri Sargent	Asst. District Court Administrator	Administrative Office of the Courts
24.	Katie Thomson	Judicial Case Manager	3 <sup>rd</sup> District
25.	James Toledo	Program Manager	Utah Division of Indian Affairs
26.	Todd Weiler	Senator	23 <sup>rd</sup> District
27.	Kaye Lynn Wootton	Assistant Attorney General	Medicaid Fraud Control Unit

### **WINGS Projects:**

- CJA Rule 6-501 – Reporting Requirements for Guardians and Conservators. WINGS stakeholders identified gaps in this rule where additional language could help clarify. Working alongside the probate subcommittee, revisions to this rule were brought to the Policy and Planning committee in November 2021, for review and feedback. The committee recommended minor changes. WINGS continues to work with the probate subcommittee to make the suggested changes. This rule will be presented again to Policy and Planning in early 2022.
- Annual Report Review Process. In conjunction with Rule 6-501, WINGS created a new form, “Review of Guardianship or Conservatorship Reports” (copy attached). This form is intended to be filed by the guardian/conservator at the time the annual report is submitted, to assist the judge in the review process. The Forms committee reviewed the document and gave approval for its use in October 2021. Guardians/Conservators can begin using the form once revisions to CJA Rule 6-501 have been approved.
- Guardianship for School Purposes / Limited Guardianship of a Minor. WINGS was approached to look more closely at guardianships of minors. Concern was raised about court-appointed limited guardianships of minors for school purposes, in conflict with [Utah Codes 75-5-201\(1\)\(a\)](#) and [53G-6-303](#).

WINGS met with a legal representative from the Weber school district. WINGS also worked with the probate subcommittee. Upon confirming that Utah statute does not support a limited guardianship for a minor for school purposes, steps were taken to remove language from existing clerical and guardian manuals, court websites, OCAP, and CJA Rule 6-501. After revisions to Rule 6-501 are approved, WINGS will look at ways to assist in educating court staff of the changes.

- CJA Rule 6-507 – Court Visitors. This rule, which went into effect in November 2020, codifies and details the Court Visitor Program. In 2021, WINGS worked on revisions to the rule, including adding language to the definition of a Court Visitor, describing more clearly the process required for review of the reports submitted by Court Visitors, and clarifying the mechanism for making objections to Court Visitor reports.

In collaboration with the probate subcommittee, the suggested revisions to this rule were brought to the Policy and Planning committee in November 2021, for review and feedback. The committee recommended minor language changes. WINGS continues to work with the probate subcommittee to make the suggested changes. This rule will be presented again to Policy and Planning in early 2022.

- Utah Code 75-5-303. In October 2021, WINGS began reviewing [Utah Code 75-5-303](#), based upon reports from GRAMP, the Court Visitor Program, district court staff, and community partners of the need to clarify some of the language, intent, and training surrounding the statute. WINGS has identified seven areas in the statute that contain (a) confusing language resulting in some districts not properly following the code, (b) contradictions with other language in the statute, or (3) outdated language or criteria. WINGS will continue to review and develop recommendations on improving this statute.
- Rule 1-205 and WINGS Rule. WINGS took on the project of becoming a formal committee under the supervision of the Judicial Council. WINGS stakeholders engaged in discussions on the benefits and potential issues related to seeking this designation. It was determined that formalizing the committee's status under the Judicial Council would provide a clear succession plan for the district court judges serving on WINGS. It would also allow for improved rotation of court staff interested in serving.

WINGS created amendments to Rule 1-205 and developed a new supplemental WINGS rule (3-421). In December 2021, WINGS stakeholders unanimously approved the suggested amendments. WINGS will continue to pursue this project in 2022, with plans to present to the Policy and Planning committee in February.

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In the District Court of Utah

\_\_\_\_\_ Judicial District \_\_\_\_\_ County

Court Address \_\_\_\_\_

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In the Matter of Protection for

\_\_\_\_\_,  
Respondent

**Review of Guardianship or  
Conservatorship Reports**

\_\_\_\_\_  
Case Number

\_\_\_\_\_  
Judge

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**The following reports are submitted for review:** (check all that apply)

- Annual Financial Accounting       Court Visitor Report       Inventory Report
- Proof of Minor's Insurance Deposit       Report on Status of the Ward       Final Accounting

**The judge, having reviewed the above report(s):**

- Approves the reports as submitted. No further action is required.
- Requests the following additional information from the filer:

- Directs that a court visitor be appointed regarding the following:

- Directs that a hearing be set regarding the following:

- Other (describe):

Judge's signature may instead appear at the top of the first page of this document.

\_\_\_\_\_  
Date

Signature ► \_\_\_\_\_

Judge \_\_\_\_\_

(This form does not need to be sent if the court approves all the reports as submitted.)

**Clerk's Certificate of Service**

I certify that on \_\_\_\_\_ (date) a copy of this Review of Guardianship or Conservatorship Reports was sent to the following people at the following addresses:

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\_\_\_\_\_ Signature ► \_\_\_\_\_  
Date Printed name of court clerk \_\_\_\_\_