



Administrative Office of the Courts

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

February 7, 2023

Ronald B. Gordon, Jr.
State Court Administrator
Neira Siaperas
Deputy State Court Administrator

MEMORANDUM

TO: Judicial Council
FROM: Judge Keith Kelly, WINGS Chair
Shonna Thomas, District Court Program Administrator - GRAMP
RE: Utah WINGS Annual Report

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 positioned to improve the Courts' guardianship processes.

WINGS Executive Committee:

1.	Keith A. Kelly	Judge, WINGS Chair	3 rd 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.	Keri Sargent	Asst. District Court Administrator	Administrative Office of the Courts
7.	Shonna Thomas	Program Administrator - GRAMP	Administrative Office of the Courts
8.	Michelle Wilkes	Court Visitor Program Coordinator	Administrative Office of the Courts

WINGS Steering Committee:

9.	James Brady	Judge	4 th District
10.	David Connors	Judge	2 nd District
11.	Shane Bahr	District Court Administrator	Administrative Office of the Courts
12.	Sarah Box	Attorney	Utah Courts - Self Help Center

13.	Deborah Brown	Professional Guardian	Guardianship & Conservator Services
14.	TantaLisa Clayton	Attorney / Director	Utah Legal Services
15.	Katie Cox	Attorney	Disability Law Center
16.	Rob Denton	Attorney	Attorney at Law
17.	Lindsay Embree	Chief, Division of Neuropsychology	University of Utah School of Medicine
18.	Rob Ence	Director	Utah Commission on Aging
19.	Wendy Fayles	Criminal Justice / Mentor	National Alliance on Mental Illness
20.	Leslie Francis	Attorney	University of Utah Law School
21.	Rachelle Johnson	Probate Clerk	4 th District
22.	Eve Larsen	Case Manager Senior Services	Davis County Health Department
23.	Wendy Naylor	Director (interim)	Office of Public Guardian
24.	Alan Ormsby	State Director	AARP
25.	Katie Thomson	Judicial Case Manager	3 rd District
26.	Holly Thorson	Court Visitor Program Coordinator	Administrative Office of the Courts
27.	James Toledo	Program Manager	Utah Division of Indian Affairs
28.	Todd Weiler	Senator	8 th District
29.	Jace Willard	Associate General Counsel	Administrative Office of the Courts
30.	Kaye Lynn Wootton	Assistant Attorney General	Medicaid Fraud Control Unit

WINGS Request to the Judicial Council:

- WINGS member Judge David Connors is retiring, so WINGS requests that the Judicial Council appoint a new district court judge to serve as a member of WINGS.

WINGS Projects:

Updates to Rules, Statutes, and Forms.

- WINGS continues to work alongside the Probate subcommittee to finalize revisions to CJA Rule 6-501, regarding the review process for annual guardianship reports. Some revisions to the rule were approved and went into effect on November 1, 2022. WINGS and the Probate subcommittee continue to work on an additional section of the rule, based upon a public comment. The intent is to finish revisions and present to the Policy, Planning, and Technology committee in March 2023.
- In conjunction with the amendments to CJA Rule 6-501, WINGS developed a new form titled, "Order on Review of Guardianship and Conservatorship reports." This form received approval and was placed into circulation alongside the approved changes to CJA Rule 6-501 on November 1, 2022.
- WINGS continues to work alongside the Probate subcommittee to finalize revisions to CJA Rule 6-507, regarding Court Visitors. Revisions include adding language to better define a Court Visitor, clarifying the mechanism for making objections, and describing more clearly the process required for review of the reports submitted by Court Visitors. The revisions have been approved by the Policy, Planning, and Technology committee in February 2023, and are going out for public comment.
- WINGS has partnered with the Forms committee to create a subgroup tasked with updating the multitude of forms used in guardianship and conservatorship proceedings. This subgroup consists of six members from WINGS, including

representatives from the Disability Law Center, the Court Visitor Program, University of Utah Law School, the Self Help Center, and the Administrative Office of the Courts - GRAMP. The subgroup will work in collaboration with the Forms Committee, and with a liaison to the Clerks of Court, to complete this project.

- At the request of the Forms committee, WINGS reviewed and revised several guardianship forms, in conjunction with the adoption of Utah Code 75-5-301.5 following the 2022 legislative session. The amended forms were submitted to the Forms committee for final review and are expected to be approved by early 2023.
- WINGS continued its work on improving the language of Utah Code 75-5-303. Revisions included updating the medical criteria used to excuse a respondent from a hearing - to conform with current standards used by the medical community, clarifying language on the requirement for an attorney to represent a respondent in guardianship proceedings, and adding language to emphasize when a Court Visitor is required by statute. WINGS provided these suggested amendments to the Liaison committee in December 2022, for consideration at an upcoming legislative session.
- WINGS finalized the process of becoming a formal committee under the supervision of the Judicial Council. WINGS created amendments to CJA Rule 1-205 and developed a new supplemental WINGS rule, CJA Rule 3-421. After a public comment period, both rules were approved. The amendments to CJA Rule 1-205 went into effect on May 23, 2022, and the adoption of CJA Rule 3-421 went into effect of November 1, 2022.

Presentations and Alliance-Building.

- WINGS was invited to present at the District Court Judges' Conference in Moab, UT, in March 2022. Presenters included representatives from the Utah State Bar Elder Law Section, University of Utah Law School, Court Visitor Program, Administrative Office of the Courts - GRAMP, and the Chair of WINGS. The presentation centered on common pitfalls that judges may encounter when dealing with guardianship cases, including the continuing jurisdiction the court has in guardianship cases, and the importance of reviewing annual reports in fulfilling that requirement.
- WINGS was invited to present at a Judges' Brown Bag training in October 2022. Presenters included representatives from the Utah State Bar Elder Law Section, a private attorney specializing in guardianship cases, the Court Visitor Program, Administrative Office of the Courts – GRAMP, General Counsel's Office, and the Chair of WINGS. The presentation focused on the upcoming approved changes to CJA Rule 6-501, how those changes could impact judges, and the resources available to assist judges in reviewing annual guardianship reports.
- The Court Visitor Program presented to fellow WINGS stakeholder agency, Adult Protective Services, in November 2022.
- WINGS received a presentation from the Office of Legal Services Innovation in April 2022, and from the Office of Fairness and Accountability in February and April 2022
- WINGS stakeholders provided input and assistance to the Court Visitor Program to expand recruitment of new Court Visitor volunteers. Through this collaboration, the Court Visitor Program was able to recruit 10 new Court Visitors in 2022.