

Utah Working Interdisciplinary Network of Guardianship Stakeholders (WINGS)

Thursday, February 15, 2024 - 12:00 to 2:00 p.m.

Attended			Not Present
Judge Keith Kelly	Rob Denton	Nan Mendenhall	Judge James Brady
Judge Brian Cannell	Rob Ence	Wendy Naylor	Shane Bahr
Judge Coral Sanchez	Wendy Fayles	Alan Ormsby	Lindsay Embree
Sarah Box	Stacy Haacke	Andrew Riggle	Leslie Francis
Deborah Brown	Nels Holmgren	Shonna Thomas	Keri Sargent
Brant Christiansen	Ann Humpherys	Katie Thomson	James Toledo
Tantalisa Clayton	Rachelle Johnson	Holly Thorson	Todd Weiler
Katie Cox	Eve Larsen	Michelle Wilkes	
		Kaye Lynn Wootton	

Agenda			
	Topic	Presenter	Materials
12:00	Meeting begins		
	<ul style="list-style-type: none"> Housekeeping, minutes Welcome guests and new members 	Judge Kelly	<ul style="list-style-type: none"> <i>WINGS Minutes (December 2023 – draft)</i>
12:10	Legislative Updates		
	<ul style="list-style-type: none"> Utah Code 75-5-303 HB0197 – Supported Decision-Making SB079 – Estate Planning Recodification 	Shonna Thomas Andrew Riggle Brant Christiansen	<ul style="list-style-type: none"> <i>HB0197</i> <i>Probate Recodification Handout</i>
12:45	WINGS Projects		
	<ul style="list-style-type: none"> Proposed update - Order on Review 	Shonna Thomas Katie Thomson	<ul style="list-style-type: none"> <i>Order on Review of GC Reports</i>
	<ul style="list-style-type: none"> Proposed subcommittee for “Basic Guidelines” manual and guardianship test 	Judge Kelly Shonna Thomas	<ul style="list-style-type: none"> <i>Basic Guidelines – Guardians and Conservators</i> <i>Guardian and Conservator Exams</i> <i>Utah Code 75-5-301.5</i> <i>CJA Rule 6-501</i>
1:30	Other Business		
	<ul style="list-style-type: none"> Annual Report to the Judicial Council 	Stakeholders	<ul style="list-style-type: none"> <i>Draft - WINGS Report to Judicial Council</i>
	<ul style="list-style-type: none"> 		
2:00	Meeting adjourned		

Housekeeping

- Meeting began at 12:00pm.
- Housekeeping, minutes. No changes were recommended to the minutes. Nan Mendenhall motioned to approve; Michelle Wilkes seconded. Minutes approved.
- Ann Humpherys was welcomed to the committee. She will be attending WINGS on behalf of the Long Term Care Ombudsman office.
- Meeting adjourned at 1:33pm.

Legislative Updates

Utah Code 75-5-303

Shonna reported that Legislative Liaison, Michael Dreschel, was still looking for a sponsor and was hoping to find related ongoing legislation that could include this bill. However, he was not optimistic.

HB0197 – Supported Decision-Making

Andrew Riggle provided an update to the committee on the status of this legislation, including concerns brought up by community members and efforts to find a compromise that will work with all entities. The group discussed the pros and cons of the changes the community members are requesting and any unforeseen harm or benefit that could arise if those changes were supported.

The committee also discussed the value of knowing how many guardianships in Utah are appointed as full versus limited, to assist in further discussions of this legislation.

- Shonna and Michelle Wilkes will look into whether this data can be obtained.
- Rob Denton offered to reach out to a colleague to obtain a more detailed list he uses when requesting limited guardianships.

SB079 – Estate Planning Recodification

Brant Christensen updated the committee on the status of this bill. It has passed the Senate and is moving to the House for consideration. Brant attended a CLE presentation on this bill and from that training, it does not appear that this legislation will impact guardianship, other than perhaps needing to update documents with revised numbering. However, there are some concerns related to the definitions in the Utah Code 75 sections and whether this will cause confusion down the road. It was suggested that they delay passage of this bill for a year for further review, but it is not known if the sponsors will do so.

WINGS Projects

Proposed Update – Order on Review

The group discussed a recommended change to the Order on Review document, which is used by judges when reviewing annual reports. Katie Thomson described some of the issues that have occurred in the third district with professional companies that submit annual reports to the court and problems they encounter with other entities that need specific dates listed on this Order. Katie has recommended that the order be revised to include the reporting dates, and Shonna provided to the group a draft version of how this change would look. The committee agreed with adding in the dates and made some additional recommendations. Shonna will take the recommended changes to the Forms committee.

Proposed Subcommittee – Basic Guidelines Manual and Test

The group discussed what was needed to finalize the revisions made to the Basic Guidelines Manual and begin tackling the guardianship test, a project the WINGS committee started several years ago. Shonna offered background, noting that this project was nearly complete, but deferred until the amendments to Rule 6-501 were approved. During this deferral, Utah Code 75-5-301.5 (Guardianship Bill of Rights) was passed, and its contents may need to be incorporated into the manual and test as well.

Judge Kelly recommended reforming the WINGS subcommittee to work on this project. Shonna will facilitate, and Rob Denton, Katie Thomson, Brant Christensen, Deborah Brown, and Michelle Wilkes volunteered to serve on the committee. Rob Ence will send the name of someone in his organization who may be interested in joining. Shonna will contact the subcommittee members to set up a meeting to discuss a plan of action.

Other Business

Annual report to the Judicial Council

Judge Kelly and Shonna are scheduled to present the annual WINGS report to the Judicial Council in March. They plan to focus on highlighting specific accomplishments from last year, as outlined in the draft report provided in the materials. Judge Kelly also intends to address the WINGS succession plan with the Council.

Action Items

<p>HB0197 – Supported Decision-Making</p> <ul style="list-style-type: none"> – Look into data on limited versus full guardianships. – Look into obtaining detailed list used by a private practitioner in limited guardianship cases. 	<p>Shonna Thomas & Michelle Wilkes</p> <p>Rob Denton</p>
<p>Proposed Update – Order on Review</p> <ul style="list-style-type: none"> – Provide the drafted changes to the Forms committee for review. 	<p>Shonna Thomas</p>
<p>Proposed Subcommittee – Basic Guidelines Manual and Test</p> <ul style="list-style-type: none"> – Contact subcommittee members and schedule a meeting to discuss a plan of action. 	<p>Shonna Thomas</p>

Deferred / Continuing Items

- Legislative updates
- Orders on Review

Next Meeting(s):

- April 18, 2024
- June 20, 2024
- August 15, 2024
- October 17, 2024
- December 5, 2024*
- February 20, 2025