

Utah Working Interdisciplinary Network of Guardianship Stakeholders (WINGS)

Thursday, February 20, 2025 - 12:00 to 2:00 p.m.

Attended				Not Present
Judge Keith Kelly	Rob Denton	Nan Mendenhall	James Toledo	Judge Coral Sanchez
Judge Brian Cannell	Rob Ence	Wendy Naylor	Michelle Wilkes	Nels Holmgren
Sarah Box	Wendy Fayles	Andrew Riggle	Kaye Lynn Wootton	Dalia Morales
Deborah Brown	Leslie Francis	Keri Sargent		Alan Ormsby
Natasha Burningham	Ann Humpherys	Shonna Thomas	Guests:	Todd Weiler
Brant Christiansen	Rachelle Johnson	Katie Thomson	Nubia Peña	
Katie Cox	Eve Larsen	Holly Thorson	Kapi Smith	

Agenda

	Topic	Presenter	Materials
12:00	Meeting begins		
	<ul style="list-style-type: none"> Housekeeping, minutes Welcome guests & new members 	Judge Kelly	<ul style="list-style-type: none"> WINGS Minutes (December 2024 – draft)
12:10	Current Topics		
	<ul style="list-style-type: none"> Criminal background disclosure – report back & subcommittee 	Kaye Lynn Wootton Judge Kelly Shonna Thomas	
12:45	2025 Legislative Session		
	<ul style="list-style-type: none"> HB 334 – Guardianships and Supported Decision-Making Agreements Amendments SB 199 – Guardianship Amendments SB 167 – Guardianship Modifications SB 134 – Health-Care Decisions Act Amendments SB 206 – Estate Planning Amendments 	Group discussion	
1:45	Other Business		
	<ul style="list-style-type: none"> WINGS Vice Chair Report to Judicial Council Stakeholder successors – <ul style="list-style-type: none"> Utah Legal Services Medical community rep 	Judge Kelly Shonna Thomas	
2:00	Meeting adjourned		

Housekeeping

- Meeting began at 12:05pm.
- No changes were recommended to the minutes. Kaye Lynn Wootton motioned to approve; Rob Ence seconded. Minutes approved.

- Judge Kelly welcomed a new stakeholder representative, Natasha Burningham (Utah Parent Center), and guests Nubia Peña (Governor’s Senior Advisor on Access and Opportunity) and Kapi Smith (Judicial Team Manager, 3rd district).
- Meeting adjourned at 1:51pm.

Current Topics

Criminal background disclosure

Kaye Lynn Wootton reported back to the group an update on her research into implementing criminal background disclosures as part of the guardianship process:

- A criminal background check through BCI would cover only Utah criminal history.
- It would cost \$15 and take approximately 15 minutes in person to complete.
- Individuals who live in more rural communities can complete the application online and get fingerprints done at local police departments.
- Adding a question to the petition process could further expand the check by asking about cases across the country.

Kaye Lynn and Nubia Peña shared with the group the objectives of the Victim Services Commission, and how it has broadened its focus to include aging and medically vulnerable individuals. The commission is also looking at this issue and is in contact with other stakeholders, but it was recognized that WINGS may be best to take the lead on developing a proposal.

The committee discussed several considerations and suggestions for implementing a criminal background disclosure process. A subcommittee was formed to include Judge Kelly (with Judge Sanchez or Judge Cannell subbing in if desired), Kaye Lynn Wootton, Katie Thomson, Deborah Brown, Rob Ence, Shonna Thomas, and Natasha Burningham (volunteered at the conclusion of the meeting).

The subcommittee will review the input from WINGS stakeholders and develop a proposal for moving forward with this action item. Kaye Lynn also agreed to look more in depth and report to the subcommittee on a recent case involving a fiduciary serving 70+ clients who is now serving time for crimes committed in that role.

2025 Legislative Session

Andrew Riggle updated the committee on the various bills related to guardianship matters that are in circulation this session. The committee discussed in depth two of those bills – HB 334 and SB 199 – that could have a significant impact to WINGS stakeholders.

- HB 334 is the legislation WINGS contributed to with amendments to Utah Code 75-5-303. It also includes language for Supported Decision Making that was brought to the legislature last year but did not pass at that time. This bill is expected to pass this session.
- SB 199 creates a new guardianship case type for adult individuals with severe intellectual disability. This bill introduces a different mechanism for obtaining medical determination of a severe intellectual disability, alters the requirements for attorneys and court visitors, expands the type of guardians not required to submit annual reports, and changes the rights afforded to the protected person. This bill is expected to pass this session.

Other Business

WINGS Vice Chair

Judge Kelly provided the group with background on the appointment of a WINGS Vice Chair. It is not a position that requires Judicial Council approval. The WINGS Executive Committee voted unanimously to appoint Judge Coral Sanchez as WINGS Vice Chair, pending her acceptance. Judge Sanchez later accepted the appointment.

Report to Judicial Council

Judge Kelly and Shonna Thomas are prepared to report to the Judicial Council in March on WINGS. This is an annual requirement as part of being a standing Judicial Council committee. Annual reports touch on the achievements of the committee, ongoing projects, and any concerns or questions the committee may have for the Council. Stakeholders wanting to add specific items to the report can do so by emailing Shonna by February 25, 2025.

Stakeholder Successors

The WINGS bylaws and CJA Rule 1-205 outline the membership for WINGS. WINGS recently had two members retire and their spots have not yet been filled. This includes a stakeholder representing the medical community (to replace Dr. Lindsay Embree), and a stakeholder representing a community legal organization (to replace Tantalisa Clayton with Utah Legal Services).

Leslie Francis offered to contact Pamela Beatse, Executive Director of Utah Legal Services, to see if they want to put forth a new agency representative to serve on WINGS. Judge Kelly also noted that having a stakeholder familiar with severe medical issues and impairments will be especially valuable in light of SB 199. Stakeholders are encouraged to consider those in their networks who could be nominated to serve on WINGS.

The committee agree to defer this matter until after the legislative session. It will be revisited at the meeting in April 2025.

Action Items

Criminal Background Disclosure

- Contact subcommittee volunteers and set up a meeting date to discuss the topic and steps moving forward.
- Report to the subcommittee information related to the criminal fiduciary case study discussed in this meeting.

Shonna Thomas
Kaye Lynn Wootton

Judicial Council Annual Report

- Reach out to Shonna by 2/5/25 if you'd like to have items added to the report.

WINGS Stakeholders

Stakeholder Successors

- Contact Pamela Beatse, Executive Director with Utah Legal Services.

Leslie Francis

Deferred / Continuing Items

- Criminal background disclosure
- Legislative updates
- WINGS stakeholder successors

Next Meeting(s):

April 17, 2025
June 19, 2025
August 21, 2025
October 15, 2025
December 18, 2025
February 19, 2026