

Utah Working Interdisciplinary Network of Guardianship Stakeholders (WINGS)

Thursday, April 17, 2025 - 12:00 to 2:00 p.m.

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

Agenda

	Topic	Presenter	Materials
12:00	Meeting begins		
	<ul style="list-style-type: none"> Housekeeping, minutes 	Judge Kelly	<ul style="list-style-type: none"> <i>February 2025 – Minutes (draft)</i>
12:10	New Topics		
	<ul style="list-style-type: none"> Judge James Brady News from Judge Kelly WINGS Successors 	Judge Kelly Shonna Thomas	
12:45	2025 Legislative Session		
	<ul style="list-style-type: none"> Legislative outcomes & next steps 	Group discussion	<ul style="list-style-type: none"> HB 334 – Guardianships and SDM Amendments SB 199 – Guardianship Amendments SB 167 – Guardianship Modifications SB 134 – Health-Care Decisions Act Amendments SB 206 – Estate Planning Amendments
1:45	Other Business		
	<ul style="list-style-type: none"> Out for comment – URCP 26.4 Report to Judicial Council Changes to CJA Rule 1-205 Forms workgroup update 	Judge Kelly Shonna Thomas	<ul style="list-style-type: none"> <i>CJA Rule 1-205 (2025 revisions, Line 408)</i>
2:00	Meeting adjourned		

Housekeeping

- Meeting began at 12:03pm.
- No changes were recommended to the minutes. Rob Denton motioned to approve; Michelle Wilkes seconded. Minutes approved.
- Judge Kelly welcomed guest Colleen Kenny from the Utah Parent Center.
- Meeting adjourned at 1:40pm.

New Topics

Judge Kelly informed the committee of the unexpected passing of Judge James Brady. Judge Brady was a current member and former Chair of WINGS, he was instrumental in promoting the goals and projects of WINGS, and he was heavily involved in improving the processes surrounding guardianship. Stakeholders can reach out to Shonna for funeral details.

Judge Kelly will be retiring from the Court in September 2025. He provided notice to the Chief Justice of his retirement plans in March and will apply to be a senior district court judge. The WINGS bylaws and CJA Rule 1-205 outline the successor process for the Chair of WINGS.

In addition to appointing a new Chair of WINGS, the committee has two stakeholder positions that remain vacant – a representative from the medical community with specialty in neuropsychology or similar, and a representative from Utah Legal Services. Leslie Francis will reach out to Pamela Beatse, Executive Director of Utah Legal Services. Stakeholders are encouraged to reach out to Shonna to nominate individuals in the medical community who may want to participate in WINGS.

2025 Legislative Session

2025 Legislative Session

The committee discussed the various bills that passed during the recent legislative session and identified areas for additional input and education. Most of the discussion centered on SB199 – guardianship for individuals with severe intellectual disability.

Committee members expressed concern over the ambiguity of the definition for severe intellectual disability, costs for medical evaluations to determine this level of disability, conflating medical designations with the legal definition of incapacity, the risk of spectrum-type disabilities, such as Autism and Down Syndrome, being grouped together, and that this type of guardianship is more restrictive on an adult's rights than the existing standards for a full guardianship.

The committee discussed pursuing the following actions:

- Present on SB199 at the Judicial Conference in September.
- Consider putting together a Brown Bag training for judges during the summer.
- Put together a CLE with the Elder Law section of the Bar.
- Create a checklist for judges on the kinds of evidence and information needed to make appropriate findings for this case type.
- Work with the Utah Parent Center on trainings for parents on this new case type.
- Stakeholder agencies that are individually working on guidance and materials for this new case type – consider seeking assistance and input from the court's Self-Help Center, to increase the available resources and reach for pro se individuals.

Other Business

URCP 26.4

This rule deals with disclosures in guardianship cases under the Rules of Civil Procedure. WINGS provided input to the Civil Procedure committee on this rule. The committee approved the recommendations submitted by WINGS, and those recommendations are currently out for public comment. Judge Kelly encouraged committee members to review any comments to determine if a response is needed. Shonna shared with the committee the link to access the public comments. The public comment period closes on April 25, 2025.

Report to Judicial Council

Judge Kelly and Shonna reported to the Judicial Council in March. The Council received the report favorably and thanked the committee stakeholders for their work on WINGS.

CJA Rule 1-205

CJA Rule 1-205 outlines some of the procedures WINGS must follow as a Judicial Council standing committee. This rule was recently updated. The comment period closed on April 11, 2025. If the rule amendments are approved, the changes would go into effect on May 1, 2025, including new requirements to conduct committee performance reviews every three years.

Forms workgroup update

The forms workgroup called a special meeting to discuss the forms needed for SB199, which is set to go into effect on May 7, 2025. Sarah Box completed much of the preliminary work on the forms in advance to allow the workgroup to address this tight timeline more efficiently. The draft forms were completed and Shonna worked with the Stylistics committee to get them ready for a final review by the Forms Committee, which met earlier this week. The workgroup will address forms related to the guardianship of an adult child next.

Guardianship Signature Program Funding

Keri updated the committee that the legislature did not allocate funding for attorneys to assist with the Guardianship Signature Program. Keri and Shonna intend to submit the funding request again for the next session. Shonna shared with the group the current backlog and increase in requests experienced by this program and the Court Visitor Program, emphasizing the need for funding for attorneys.

Action Items**Stakeholder Successors**

- Contact Pamela Beatse, Executive Director with Utah Legal Services.
- Reach out to Shonna with nominations for individuals from the medical community.

Leslie Francis

Stakeholders

Deferred / Continuing Items

- Criminal background disclosure
- WINGS stakeholder successors
- Attorney shortages

Next Meeting(s):

June 19, 2025
 August 21, 2025
 October 15, 2025
 December 18, 2025
 February 19, 2026
 April 16, 2026