

## Working Interdisciplinary Network of Guardianship Stakeholders

### August 23, 2017 Summary Minutes

**Attendees:** Dustin Hummers, Shannon Alvey, Mary Jane Ciccarello, Kaye Lynn Wootton, Joanne Bueno Sayre, Robert Denton, Michelle Wilkes, Nancy Sylvester, Karolina Abuzyarova, Andrew Riggle, David Connors, Wendy Fayles,

**Excused:** Nels Holmgren, Todd Weiler,

**No show:** Judge James Brady, Daniel Musto, James Toledo, Kent Alderman, Nan Mendenhall

**Introduction:** Committee Chair, Judge Connors asked committee members to introduce themselves. Committee approved June meeting minutes. Judge Connors asked committee members about updates in their work. Nancy informed that the Court Visitor Program or now GRAMP (Guardianship Reporting and Monitoring Program) was recommended as a building block for funding requests during the 2018 legislative session. Kaye Lynn Wootton brought up two cases that Medicaid Fraud Control Unit was investigating that resulted in criminal convictions. The case involved financial exploitation of the father by the son, with nursing home bills not paid and investments in sketchy business. Judge Connors spoke about the 2<sup>nd</sup> degree felony conviction in his court, where the perpetrator spend over \$90,000 on new cars and told the vulnerable adult that each previous vehicle was stolen.

**Roundtable** “Crossroads of Guardianship, Involuntary Commitment and Essential Treatment”. Karolina informed about the date and location of the roundtable: November 2, 8:30am-2:30pm at the Radisson Hotel Downtown Salt Lake City. Karolina asked for feedback about the keynote speaker and Mary Jane disagreed with somebody setting the tone or direction of the discussion. Mary Jane wanted just introductory remarks by Judge Connors, a brief document sent out in advance and a moderated brainstorming discussion. Andrew Riggle suggested inviting legislator Lowry Snow. In addition, the group suggested inviting Senator Weiler, Rebecca Edwards, LaVar Christensen, and Lyle Hillyard from the Legislature.

**New Legislation:** Committee moved on to the discussion of the new legislation and legislation in the works. Nancy Sylvester provided an overview of the Uniform Guardianship and Protected Proceedings Act that was drafted and approved by the National Conference of Commissioners on Uniform State Laws in July 2017. Nancy also reviewed Elder Abuse Prevention and Prosecution Act that still had the status of the bill at the time of the meeting.

Some of the highlights of the Uniform Act were: more detailed information about criminal convictions and bankruptcy of proposed guardians, definitions of guardianship, continuing liability of guardian even if removed, spelled out need for successor guardian, visitation, appointment of an agent and other protective arrangements, marriage and voting by the protected person, more explicit information about visitors. Elder Abuse Act envisioned appropriation of funds to establish Elder Abuse Coordinators in each state, mandatory background checks for the proposed guardians. As for the status of the bill, it was cleared by the Senate and had to go to the House of Representatives and finally be signed by the President.

**Stakeholder time reporting form:** Karolina provided an overview of the stakeholder time reporting form required within the Elder Justice Innovation grant and WINGS Focus on Court Oversight. American Bar Association created the form to help the grantees track the match portion of the grant, as the federal grant requires every 3<sup>rd</sup> dollar to be matched by in-kind donation contributions or stakeholder time of the grantees. Karolina said she will email the form to all participants. The form covered period from June 1 until September 30, 2017.

## **WINGS**

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**Abuse subcommittee** coordinated by Nancy Sylvester is working on the final draft of the chart of the agencies providing services in cases of abuse, neglect and financial exploitation that would be presented at the next WINGS meeting.

**Limited guardianship subcommittee:** Mary Jane agreed to make edits to the current benchbook on adult guardianship and incorporate information on capacity determination from the ABA and APA handbook "Judicial Determination of Capacity of Older Adults". A benchcard is another option. Subcommittee decided that Karolina will approach the judges and ask their feedback on what information they need in making decisions on adult guardianship cases and what is the preferred format.

**Meetings** in 2017: Oct. 25, Dec.27