

Working Interdisciplinary Network of Guardianship Stakeholders

June 22, 2016 summary minutes

Attendees: Mary Jane Ciccarello, Kent Alderman, Robert Denton, Karolina Abuzyarova, Nancy Sylvester, Shannon Alvey, Daniel Musto, Nels Holmgren, Wendy Fayles, Joanne Bueno Sayre

Excused: Judge David Connors, Judge James Brady, Nan Mendenhall, Holly Kees, James Toledo, Patricia Vigo

No show: Carol Fletcher, Lisa Thornton, Joseph Taylor, Ellen Silver (resigned)

Committee chair welcomed the group and minutes from the April meeting were approved.

Strategic Goals

Evaluation block: the Committee reviewed strategic goals chart. Holly Kees started partnership with the Weber State University students on gathering data on the output of the whereabouts assignments of the Court Visitor Volunteer Program. Data will identify a number of cases where guardians submitted annual reports when visitors followed up with them and prompted to submit the reports.

Nancy Sylvester provided an update on the Signature Program and informed the committee that very few attorneys agree to take on cases. Nancy said that program evaluation might be premature as the program has a lot of growth to do. Karolina mentioned that possibly program evaluation can be incorporated as part of program development to address lack of interest from legal community.

Joanne Bueno Sayre, a probate clerk in the Third District, expressed frustration about her efforts to get attorneys to respond through the Signature Program. Nancy pointed out that one of the challenges has been the factor of attorneys being concerned regarding serving pro bono on cases where the respondent has income or assets. Joanne agreed with Karolina that possibly another CLE is needed for attorneys to go over the requirement of the respondent being represented in guardianship proceedings. Mary Jane added that the fees could be recovered by filing an affidavit after the guardianship has been appointed.

Mary Jane inquired about requests from districts other than third, and Nancy said there weren't any. Joanne brought up that KUED is making a film on autism and guardianship, and maybe there is a way to add information about the Signature Program.

Another part of the evaluation section of the chart addressed tracking the number of guardianship petitions. Mary Jane brought up that almost 40% of the guardianship petitions relate to young adults. Recently an email was sent out by the courts to legal community identifying three types of guardianship cases: guardianship of an adult, guardianship of a child, and guardianship of a disabled child. Mary Jane asked if maybe at the next meeting either Jason Ralston or Kim Allard can make a brief presentation on the coding and traffic on guardianship webpages.

Education block: Karolina provided an overview of the education block. Most of the participating agencies agreed to provide reference on their websites to the Court's guardianship resources. A few links appeared outdated on the Division of Adult and Aging Services' website, and Nels Holmgren took note of that and said he would pass on to the website maintenance team.

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Karolina will follow up with Tom Langhorn, Education Director, whether WINGS panel will appear at the Fall Judicial Conference.

Education support to family guardianship and caregivers will be provided through the Online Training Program (OTP). Karolina contacted Libby Wadley, who was on a leave, but is now back to work. Approximate timeline that Libby will start working on the OTP is the end of July 2016. Karolina informed Libby regarding the training grant secured from the Utah State University and that online training program is part of the training grant.

Delivering guardianship classes to professionals is a main charge of the grant from the Center of Persons with Disabilities of the Utah State University.

Legislative block: Rob Denton said that the first category in legislative block, adoption of the national guardianship standards, appeared to be on the Courts' website, however standards are not part of the probate code. Shannon Alvey mentioned that she is a member of the National Guardianship Association's state affiliates committee, and she is willing to inquire what other states have done in regard to the national guardianship standards.

Mary Jane commented on the next item in the legislative block on increasing the number of limited guardianship cases and tracking cases where guardianship is terminated if capacity is restored. Discussion went around tracking the limited appointments, as well as the cases when guardianship was terminated. There is no way to track limited guardianships separately. Information about the scope of guardianship is contained in the guardianship letters in Court's database. Karolina shared that the Court Visitor Volunteer Program had memorable small percentage of cases when the protected person petitioned to terminate guardianship and in most cases it was changed to limited, or terminated in very few instances. Mary Jane suggested that working on pulling this information from Coris might be a good project for a law student from S.J.Quinney College of Law.

A question of care plans as part of the guardianship process came up. Currently care plans are not required by law, however the Courts' website has sample care plans on the webpages about guardianship and conservatorship. Office of Public Guardian, according to Shannon Alvey, submits care plan together with annual reports.

Rob Denton pointed out that supported decision making was not included in the chart as he recommended at the annual assessment meeting. Karolina will add the supported decision making to the national standards category. Mary Jane noted that they could be added to the education section as well. Shannon Alvey remembered about a position paper issued by the National Guardianship Association regarding supported decision making, that she will try to locate for further discussion.

Adult Protective Services is working with Attorney General's office on cleaning up the statutes that will clarify the role of APS in providing protective services in emergency situations. Nels Holmgren said that they have not yet identified a legislator to introduce the bill.

Statewide Guardianship Classes

Karolina invited participating WINGS members to be part of the Education Subcommittee tasked with curriculum, schedule, planning, evaluation and presentations. Mary Jane Ciccarello and Kent Alderman are part of the Subcommittee. Judge Connors and Judge Brady will be invited to participate as well, as they expressed interest in attending the classes when possible.

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Nels Holmgren promised to include Karolina on the agenda of the next Area Agencies on Aging meeting that will be on July 12th in Logan. That will help coordination of the classes at the senior centers.

Conferences

Karolina provided an update on the upcoming fall conferences in the field of guardianship. National Guardianship Association Conference will be held in Charleston, South Carolina on October 29 through November 1, 2016. An informal WINGS meeting is planned for November 1, from 1pm-3pm in the end of the conference. WINGS members who are able to attend should notify Erica Wood, Assistant Director of the American Bar Association. Scholarships are available for family and public guardians.

Another conference is National Aging and Law Conference on October 27-28 in Alexandria, Virginia. Karolina was accepted as a presenter. Scholarships are available from AARP.

Karolina asked if October 26th meeting could be rescheduled and it was rescheduled for October 19th.

Meeting schedule in 2016: August, 24, October 19, December 28.