

Agenda

Working Interdisciplinary Network of Guardianship Stakeholders

June 19, 2013
12:00 to 2:00 p.m.

Administrative Office of the Courts
Scott M. Matheson Courthouse
450 South State Street
Judicial Council Room, Suite N31

Welcome and approval of minutes	Tab 1	Tim Shea
Summit Planning: Selection of topics, authors, participants	Tab 2	Committee

Committee webpage: <http://www.utcourts.gov/howto/family/GC/wings/>

Meeting Schedule 12:00 to 2:00 at the Matheson Courthouse

August 21, 2013
September 18, 2013
October 16, 2013

Utah Guardianship Summit

November 6, 2013, 8:30 to 4:30

Tab 1

Working Interdisciplinary Networks of Guardianship Stakeholders

April 17, 2013 summary minutes

I. The members introduced themselves.

II. Tim Shea explained the purpose of the WINGS grant and the initial effort to hold a statewide summit on guardianship topics in November. He opened the meeting to a general discussion of the topics members thought were most important to address at the summit and beyond.

III. Topics identified included:

1. The importance of early recognition and prevention of Alzheimer's disease.
2. Identify medical evidence of cognitive decline in dementias, mental illness, etc. as part of the appointment of a guardian and evidence of regained capacity for termination of the appointment. Identify qualified medical professionals for better judicial decisions.
3. Improve monitoring of and help for guardians, possibly an ombudsman within the courts or Department of Human Services, or a network of agencies. The objective would be to connect vulnerable adults, guardians and caregivers to the resources available in the community, conduct investigations and provide ongoing monitoring.
4. Examine the role of the courts in monitoring guardians after appointment.
5. Develop a system of sharing medical records between hospitals, courts, and law enforcement. Create a uniform record for advance healthcare directives and similar documents that will be accessible through the system.
6. Expand "Safe Return" programs beyond Alzheimer's disease to include mental illness, developmental disabilities, etc. The program might provide a safety net by having a 24-hour toll-free number and registration in a national database.
7. Establish a pool of advocates for vulnerable adults, such as an Office of the Guardian Ad Litem for Incapacitated Adults.
8. Work with the Utah State Bar to provide representation and legal services for vulnerable adults.
9. Educate lawyers on guardianship proceedings with an emphasis on serving as the attorney for the respondent in such proceedings, developing person-centered plans and orders, and alternatives to guardianship.
10. Develop a mechanism that would assist law enforcement agencies in working with victims of abuse, neglect and exploitation who need guardianship services and in directing vulnerable adults with mental illnesses and substance abuse to the needed services.

11. Educate the public and stakeholder groups on alternatives to guardianship, person-centered planning, guardianship proceedings, and the guardian's responsibilities.
12. Attempt to involve relevant government agencies, especially those providing benefits to vulnerable and incapacitated adults, like the VA and the SSA.
13. Involve other stakeholder groups such as family caregivers and guardians and representatives from minority and ethnic communities, especially from the Hispanic community and the LGBT community.
14. Establish a framework to continue the effort to explore issues.

IV. The group agreed to develop a matrix from which to select summit topics. The matrix will identify the various stakeholder groups and how the specific interests, needs and issues identified in our discussion intersect across the guardianship continuum. Mary Jane Ciccarello and Sally Hurme will develop the initial draft and email it to the group.

V. The statewide guardianship summit was scheduled for Wednesday, November 6, 2013. A proposed WINGS meeting schedule was confirmed: June 19, August 21, September 18 and October 16, 2013.

VI. Meeting adjourned.

Tab 2

Working Interdisciplinary Network of Guardianship Stakeholders (WINGS)
Matrix of Adult Guardianship Issues for Summit & Beyond

Constituency	Planning Ahead	Court Appointment Proceedings	Post-Appointment Issues	Interaction Between Agencies & Stakeholders
<p>Persons subject to guardianship due to:</p> <ul style="list-style-type: none"> • mental illness • developmental disabilities • cognitive decline & impairment 	<p>Prepare and deliver interdisciplinary education materials & curriculum:</p> <ul style="list-style-type: none"> • alternatives to guardianship; • guardianship process; • post-appointment issues; • person-centered planning; • protection from abuse; • recognizing & enforcing legal rights; • determining capacity. <p>Create model, person-centered plans in English & Spanish that include best practices and that are culturally sensitive & appropriate.</p>	<p>Effective legal counsel:</p> <ul style="list-style-type: none"> • access to counsel; • less restrictive alternatives to full guardianship; • well-drafted plans & orders based on functional, cultural, language & personal needs & desires of protected person. <p>Medical evidence of incapacity.</p>	<p>Use plan & order to promote well-being.</p> <p>Meet protected person's legal needs.</p> <p>Ensure guardians perform their duties.</p>	<p>Improve agency interactions (SSA, VA, courts, human services, law enforcement).</p> <p>Maximize interagency referrals.</p> <p>Effective communication of plans & orders.</p>
<p>Family guardians & caregivers</p>	<p>Prepare and deliver interdisciplinary education materials & curriculum:</p> <ul style="list-style-type: none"> • alternatives to guardianship; • guardianship process; • post-appointment issues; • person-centered planning; • protection from abuse; • recognizing & enforcing legal rights; • determining capacity. <p>Create model, person-centered plans in English & Spanish that include best practices and that are culturally sensitive & appropriate.</p>	<p>Effective legal counsel:</p> <ul style="list-style-type: none"> • access to counsel; • less restrictive alternatives to full guardianship; • well-drafted plans & orders based on functional, cultural, language & personal needs & desires of protected person. <p>Medical evidence of incapacity.</p>	<p>Use plan & order to promote well-being.</p> <p>Meet protected person's legal needs.</p> <p>Ensure guardians perform their duties.</p>	<p>Improve agency interactions (SSA, VA, courts, human services, law enforcement).</p> <p>Maximize interagency referrals.</p> <p>Effective communication of plans & orders.</p>

Constituency	Planning Ahead	Court Appointment Proceedings	Post-Appointment Issues	Interaction Between Agencies & Stakeholders
Professional guardians & caregivers	<p>Prepare and deliver interdisciplinary education materials & curriculum:</p> <ul style="list-style-type: none"> • alternatives to guardianship; • guardianship process; • post-appointment issues; • person-centered planning; • protection from abuse; • recognizing & enforcing legal rights; • determining capacity. <p>Create model, person-centered plans in English & Spanish that include best practices and that are culturally sensitive & appropriate.</p>	<p>Effective legal counsel:</p> <ul style="list-style-type: none"> • access to counsel; • less restrictive alternatives to full guardianship; • well-drafted plans & orders based on functional, cultural, language & personal needs & desires of protected person. <p>Medical evidence of incapacity.</p>	<p>Use plan & order to promote well-being.</p> <p>Meet protected person's legal needs.</p> <p>Ensure guardians perform their duties.</p>	<p>Improve agency interactions (SSA, VA, courts, human services, law enforcement).</p> <p>Maximize interagency referrals.</p> <p>Effective communication of plans & orders.</p>
Human services agencies (government & non profit)	<p>Prepare and deliver interdisciplinary education materials & curriculum:</p> <ul style="list-style-type: none"> • alternatives to guardianship; • guardianship process; • post-appointment issues; • person-centered planning; • protection from abuse; • recognizing & enforcing legal rights; • determining capacity. <p>Create model, person-centered plans in English & Spanish that include best practices and that are culturally sensitive & appropriate.</p>	<p>Effective legal counsel:</p> <ul style="list-style-type: none"> • access to counsel; • less restrictive alternatives to full guardianship; • well-drafted plans & orders based on functional, cultural, language & personal needs & desires of protected person. <p>Medical evidence of incapacity.</p>	<p>Use plan & order to promote well-being.</p> <p>Meet protected person's legal needs.</p> <p>Ensure guardians perform their duties.</p>	<p>Improve agency interactions (SSA, VA, courts, human services, law enforcement).</p> <p>Maximize interagency referrals.</p> <p>Effective communication of plans & orders.</p>

Constituency	Planning Ahead	Court Appointment Proceedings	Post-Appointment Issues	Interaction Between Agencies & Stakeholders
<p>Medical care providers & physicians</p>	<p>Prepare and deliver interdisciplinary education materials & curriculum:</p> <ul style="list-style-type: none"> • alternatives to guardianship; • guardianship process; • post-appointment issues; • person-centered planning; • protection from abuse; • recognizing & enforcing legal rights; • determining capacity. <p>Create model, person-centered plans in English & Spanish that include best practices and that are culturally sensitive & appropriate.</p>	<p>Medical evidence of incapacity.</p> <p>Well-drafted plans & orders based on functional, cultural, language & personal needs & desires of protected person.</p>	<p>Use plan & order to promote well-being.</p> <p>Meet protected person's legal needs.</p> <p>Ensure guardians perform their duties.</p>	<p>Improve agency interactions (SSA, VA, courts, human services, law enforcement).</p> <p>Maximize interagency referrals.</p> <p>Effective communication of plans & orders.</p>
<p>Legal services providers</p>	<p>Prepare and deliver interdisciplinary education materials & curriculum:</p> <ul style="list-style-type: none"> • alternatives to guardianship; • guardianship process; • post-appointment issues; • person-centered planning; • protection from abuse; • recognizing & enforcing legal rights; • determining capacity. <p>Create model, person-centered plans in English & Spanish that include best practices and that are culturally sensitive & appropriate.</p>	<p>Effective legal counsel:</p> <ul style="list-style-type: none"> • access to counsel; • less restrictive alternatives to full guardianship; • well-drafted plans & orders based on functional, cultural, language & personal needs & desires of protected person. <p>Medical evidence of incapacity.</p>	<p>Use plan & order to promote well-being.</p> <p>Meet protected person's legal needs.</p> <p>Ensure guardians perform their duties.</p>	<p>Improve agency interactions (SSA, VA, courts, human services, law enforcement).</p> <p>Maximize interagency referrals.</p> <p>Effective communication of plans & orders.</p>

Constituency	Planning Ahead	Court Appointment Proceedings	Post-Appointment Issues	Interaction Between Agencies & Stakeholders
Law enforcement	<p>Prepare and deliver interdisciplinary education materials & curriculum:</p> <ul style="list-style-type: none"> • alternatives to guardianship; • guardianship process; • post-appointment issues; • person-centered planning; • protection from abuse; • recognizing & enforcing legal rights; • determining capacity. <p>Create model, person-centered plans in English & Spanish that include best practices and that are culturally sensitive & appropriate.</p>	<p>Well-drafted plans & orders based on functional, cultural, language & personal needs & desires of protected person.</p>	<p>Use plan & order to promote well-being.</p> <p>Meet protected person's legal needs.</p> <p>Ensure guardians perform their duties.</p>	<p>Improve agency interactions (SSA, VA, courts, human services, law enforcement).</p> <p>Maximiz interagency referrals.</p> <p>Effective communication of plans & orders.</p>
Courts	<p>Prepare and deliver interdisciplinary education materials & curriculum:</p> <ul style="list-style-type: none"> • alternatives to guardianship; • guardianship process; • post-appointment issues; • person-centered planning; • protection from abuse; • recognizing & enforcing legal rights; • determining capacity. <p>Create model, person-centered plans in English & Spanish that include best practices and that are culturally sensitive & appropriate.</p>	<p>Effective legal counsel:</p> <ul style="list-style-type: none"> • obtaining counsel; • less restrictive alternatives to full guardianship; • well-drafted plans & orders based on functional, cultural, language & personal needs & desires of protected person. <p>Medical evidence of incapacity.</p>	<p>Use plan & order to promote well-being.</p> <p>Meet protected person's legal needs.</p> <p>Ensure guardians perform their duties.</p> <p>Ongoing monitoring by the courts?</p>	<p>Improve agency interactions (SSA, VA, courts, human services, law enforcement).</p> <p>Maximize interagency referrals.</p> <p>Effective communication of plans & orders.</p>

Constituency	Planning Ahead	Court Appointment Proceedings	Post-Appointment Issues	Interaction Between Agencies & Stakeholders
WINGS	<p>Education & training-who does it?</p> <p>Create model, person-centered plans in English & Spanish that include best practices and that are culturally sensitive & appropriate.</p>	<p>How to establish, promote, maintain?</p> <p>Effective legal counsel:</p> <ul style="list-style-type: none"> • obtaining counsel; • less restrictive alternatives to full guardianship; • well-drafted plans & orders based on functional, cultural, language & personal needs & desires of protected person. <p>Medical evidence-How to develop best practices & implement them?</p>	<p>How to establish, promote, maintain?</p> <p>Use plan & order to promote well-being.</p> <p>Meet protected person's legal needs.</p> <p>Ensure guardians perform their duties.</p> <p>Ongoing monitoring by the courts? If not the courts, then who?</p>	<p>How to establish, promote, maintain?</p> <p>Recruit more members representing Spanish & other minority communities & family guardians? Sustainability of WINGS?</p> <p>Annual summits?</p> <p>Improve agency interactions (SSA, VA, courts, human services, law enforcement).</p>