



# The Court Visitor

## Special Interest Resources:

- June 2014 Issue of BiFocal a journal of the ABA on Law & Aging: <http://www.americanbar.org/content/dam/aba/publications/bifocal/BIFOCALMay-June2014.pdf>
- Aging Alliance Conference September 29-30, 2014, Park City [www.utahagingalliance.org](http://www.utahagingalliance.org)
- Senior Expo, October 2-3, 2014 South Towne Expo, 9575 South State St., Sandy <http://slco.org/seniorexpo>

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## Program Expansion

Court Visitor Program is expanding to the 5<sup>th</sup> Judicial District of South-western Utah that includes Beaver, Iron and Washington Counties. Tracker and auditor services are already

offered statewide, but interviewer visitor services have not been provided in that area so far. Volunteer training is scheduled for September 2014 in St. George, Utah.

Due to the remoteness of the area, a local volunteer coordinator was recruited to accompany volunteers on visits and to manage cases.

## UN Convention on the Rights of People with Disabilities

United Nations adopted Convention on the Rights of People with disabilities on December 13, 2006, and it entered into force in 2007.

### Article 12 - Equal recognition before the law:

1. States Parties reaffirm that persons with disabilities have the right to recognition everywhere as persons before the law.

2. States Parties shall recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life.

3. States Parties shall take appropriate measures to provide access by persons with disabilities to the

support they may require in exercising their legal capacity.

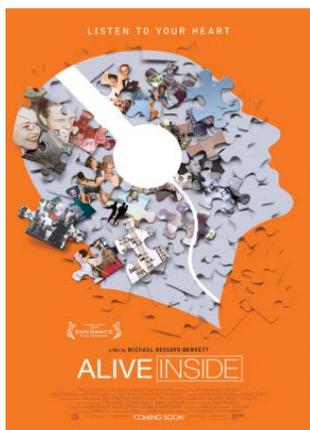
4. States Parties shall ensure that all measures that relate to the exercise of legal capacity provide for appropriate and effective safeguards to prevent abuse in accordance with international human rights law. Such safeguards shall ensure that measures relating to the exercise of legal capacity respect the rights, will and preferences of the person, are free of conflict of interest and undue influence, are proportional and tailored to the person's circumstances, apply for the shortest time possible and are subject to regular review by a competent,

independent and impartial authority or judicial body.

The safeguards shall be proportional to the degree to which such measures affect the person's rights and interests.

5. Subject to the provisions of this article, States Parties shall take all appropriate and effective measures to ensure the equal right of persons with disabilities to own or inherit property, to control their own financial affairs and to have equal access to bank loans, mortgages and other forms of financial credit, and shall ensure that persons with disabilities are not arbitrarily deprived of their property.

## Opportunities for Creativity as We Age



“Patients with anxiety and depression are less agitated and appear calmer. The music transports them to a happier place in their minds.”

~Care Professional~

Those of you who attended the Court Visitor Volunteer Recognition Event on July 22, 2014 at the Salt Lake City Main Library had the opportunity to watch “Alive Inside” an inspirational documentary which highlights the therapeutic benefits of music and memory.

Additional information and opportunities for involvement with the Music and Memory Program can be located at the following website:

<http://musicandmemory.org>

Clearly the impact of music has been life changing for a notable segment of the aging

population who are faced with a broad array of physical and intellectual challenges as they grow older. Music is one powerful avenue for engaging the elderly in creative experience, an experience which has proven to be improve the quality of their lives.

Mental clarity, increased awareness, a means for expressing the elusive (such as spiritual experiences), resolution of longstanding conflict, continued adaptation, improved emotional states and physical healing are all potential benefits experienced from exposure to creativity.

Unfortunately, it is known that over the age of 65 people are less likely to engage in the arts than at any other age due to personal and societal barriers. This is one of the reasons programs such as Music and Memory are so important and why integrating creativity into the lives of the elderly is so essential.

For those of you interested in this topic please review one or more of the following articles for additional insight and ideas on the potential possibilities and opportunities for our aging community.

## Resources on Creativity in Aging

- <http://www.peopleandstories.net/wp-content/uploads/2011/08/RESEARCH-ON-CREATIVITY-AND-AGING1.pdf>
- <https://dementie-en-technologie.wikispaces.com/file/view/Creativity+with+dementia+patients..pdf>
- <http://www.nytimes.com/1981/03/02/style/exploring-the-past-creativity-in-old-age.html>
- <http://creativityforlife.com/the-benefits-of-creativity-to-the-elderly/>
- <http://www.psychologytoday.com/blog/life-art/200903/creativity-and-the-aging-brain>
- [http://www.aoa.gov/AoA\\_Programs/HPW/Alz\\_Grants/docs/AlzheimersInnComp.pdf](http://www.aoa.gov/AoA_Programs/HPW/Alz_Grants/docs/AlzheimersInnComp.pdf)
- <http://www.creativeaging.org/publications-research/research/creativity-and-aging-study-impact-professionally-conducted-cultural>
- [http://www.huffingtonpost.com/timothy-carpenter/creativity-and-aging\\_b\\_825435.html](http://www.huffingtonpost.com/timothy-carpenter/creativity-and-aging_b_825435.html)
- <http://www.waxmann.com/fileadmin/media/zusatztexte/postlethwaite/cropley.pdf>

## Behind the Scene with the Probate Clerk, Joanne Bueno Sayre



Having worked with the Court system for eighteen years, Joanne has spent the past seven years in her current position. She works directly with the Probate Court, which is responsible for handling estates, trusts, wills, name changes, adoptions, minor settlements, minor guardianships and most significant, as far as the Court Visitor Program is concerned, adult guardianships. For those of you who have taken case assignments in the Third District you have most likely observed Joanne who takes her seat next to the Presiding Judge during Probate Court every Wednesday morning from 8:30am until 9:30am. Joanne is also very active behind the scenes. She works closely with the Judges reviewing guardianship cases with them prior to the hearing and identifying any paperwork that still needs to be completed.

Joanne has been involved with the Court Visitor Program since its inception, over three years ago. From her perspective, the program has been extremely successful. Prior to the program, attorney's frequently presented excuses as to why their client, the protected person, could not attend the hearing. As a general

rule, the Court would accept the attorney's requests and excuse the respondent from the hearing. Expressing concern that there may have been instances when people simply did not want to take the time to get the protected person to court, Joanne emphasized how both the Court and the respondent's benefit from the Court Visitor Program's involvement. Not only does the Court Visitor's involvement increase the attendance of the protected person, the court reports also provide valuable insight regarding their life circumstances to the Judge which aid's in his/her decision making process.

Joanne believes the program has an excellent reputation and that the Judges are increasingly receptive to the court visitors' involvement and interested parties are much more apt to utilize the program then they once were.

Joanne elaborated on the benefits of detailed reports. She noted that many of the reports include an attachment page providing additional information for the Judges which has been very helpful. "The more information the better" Joanne stated. Frequently the reports contain information that would never have been presented were it not in the reports as those attending the hearings are often nervous and unable to convey their situation, Joanne explained.

For those of us who have worked with Joanne, we know how incredibly skilled, hardworking and committed she is in her role as Judicial Case Manager. However, when one takes the time to hear her story, it becomes immediately apparent that it is not simply a strong work ethic that motivates her; it is also a personal commitment to the rights of other's and the pursuit of knowledge that fuels her dedication. During our interview Joanne shared that seven years ago, when she took her current position, she did so because of her desire to learn everything she could about guardianships.

One of the lights in her life is her 10 year old grandson, Benji. Benji struggles with severe autism and is unable to articulate his thoughts. Knowing one day that guardianship will be an issue, her daughter, Benji's mother, will have to face, Joanne accepted this position in hopes that she could learn as much as possible about the guardianship process. By doing so, she plans on providing support and guidance to her daughter when it becomes time for her to pursue guardianship of Benji.

Hoping to make the guardianship process easier for other families in similar situations, Joanne's personal insight and feelings of empathy enable her to connect in a way that may not be possible were it not for her own life experiences.

## Court Visitor Program

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P.O. Box 140241  
Salt Lake City, UT 84114

PHONE:  
(801)578-3925  
(801) 238-7030

FAX:  
(801) 578-3843

E-MAIL:  
[visitor@utcourts.gov](mailto:visitor@utcourts.gov)

We're on the Web!  
See us at:

[www.utcourts.gov/visitor](http://www.utcourts.gov/visitor)



## Upcoming Events

### The 2014 NAMIWalk:

Location: Liberty Park,  
Rice Pavilion  
Date: Saturday,  
September 6, 2014  
Check-in: 8:30am  
Start Time: 10:00am  
Contact: 801-869-2882  
<http://namiwalks.org>

### NAMI Utah State Conference

Date: Friday,  
November 14, 2014  
Sheraton Hotel and  
Convention Center  
150 West 500  
South, Salt Lake City

### NAMI:

Free education and  
support groups  
(801) 323-9900 or toll  
free 1(877) 230-6264

### Join AARP in Filming of Live Studio Audience for a Brain Fitness Forum

AARP Utah and  
University of Utah's Brain  
Center are filming its  
popular brain fitness  
seminar, a discussion  
that focuses on memory  
loss.

Date: Wednesday,  
August 20, 2014  
Salt Lake City Public  
Library, 210 East 400  
South in Salt Lake City

Filming begins: 6:00pm

*Audience is asked to be  
in their seats 15 minutes  
prior to filming*

### Walks to End Alzheimer's

Sept. 6 - Provo  
Sept. 13 - Salt Lake City  
Sept. 20 - Logan  
Sept. 27 - Ogden

### Film Screening "The Genius of Marian"

Thursday, Sept. 4  
6:30pm to 9:00pm  
SLC Main Library  
210 East 400 South

A special event to honor  
Utahns affected by  
Alzheimer's disease.

Official Selection of the  
2013 Tribeca Film  
Festival

RSVP to Melissa Lee  
at [mlee@alz.org](mailto:mlee@alz.org) or call  
801-265-1944.

## WINGS update

Working Interdisciplinary Network of Guardianship Stakeholders (WINGS) is a multi-disciplinary advisory body, focusing on guardianship issues from many different perspectives. Established in April 2013, WINGS held a statewide summit that identified areas of opportunities to improve support system for persons with diminished capacity.

Latest WINGS meetings in May and June 2014 focused on finding ways within the current healthcare system to pay for medical evaluation of capacity, and putting together public education series starting with the topic of "Planning Ahead: Guardianship Alternatives". Methods of delivery will include: online videos, live seminars, and Court's website.

## Upcoming volunteer trainings

August 2014, Price, Utah  
September 4, 2014 in St. George, Utah  
October 27-29-31, 2014 in Salt Lake City, Utah