

# The Third National Guardianship Summit – Standards Reform

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Office of General Counsel

Presentation to: 13<sup>th</sup> Annual Conference on Alzheimer's Disease  
and Psychiatric Disorders of the Elderly,  
NASMHPD Older Persons Division  
Brag and Steal, Whispering Woods Conference  
Center, Olive Branch, MS

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**Georgia Department of Human Services**



# Vision, Mission and Core Values

## *Vision*

Stronger Families for a Stronger Georgia.

## *Mission*

Strengthen Georgia by providing Individuals and Families access to services that promote self-sufficiency, independence, and protect Georgia's vulnerable children and adults.

## *Core Values*

- Provide access to resources that offer support and empower Georgians and their families.
- Deliver services professionally and treat all clients with dignity and respect. Manage business operations effectively and efficiently by aligning resources across the agency.
- Promote accountability, transparency and quality in all services we deliver and programs we administer.
- Develop our employees at all levels of the agency.

# Third National Guardianship Summit

- **October 13-15, 2011, Salt Lake City, Utah**
- The Summit delegates adopted a far-reaching set of recommendations for Guardian Standards, as well as additional Recommendations for action by courts, legislatures and other entities. The Standards and Recommendations were adopted by vote of the plenary session based on recommendations of the Summit's seven interdisciplinary working groups.
  - Guardian Standards
  - Recommendations for Action
  - Definitions.

# Third National Guardianship Summit

- Third major guardianship reform meeting  
<http://www.guardianshipsummit.org/>
- National Guardianship Network (NGN)
- 93 delegates
- National Guardianship Association devoted its Spring Colloquium to the Summit Standards and Recommendations (“The View from the Summit: Guardianship in the Next Decade and Beyond”)
- ABA Section on Real Property, Trust and Estate Law, the American Society on Aging (workshop)
- Association of American Law Schools (workshop)
- World Congress on Adult Guardianship (October 2012)

# National Guardianship Network

- [AARP, Public Policy Institute](#)
- [The American Bar Association Commission on Law and Aging](#)
- [The American Bar Association Section of Real Property, Trust and Estate Law](#)
- [The Alzheimer's Association](#)
- [The American College of Trust and Estate Counsel](#)
- [The Center for Guardianship Certification](#)
- [The National Academy of Elder Law Attorneys](#)
- [The National Center for State Courts](#)
- [The National College of Probate Judges](#)
- [The National Guardianship Association](#)

# Co-Sponsors

- [The American Bar Association Commission on Mental and Physical Disability Law](#)
- [The Arc](#)
- [The Center for Social Gerontology](#)
- [The National Adult Protective Services Association](#)
- [The National Association of State Long-Term Care Ombudsman Programs](#)
- [The National Association of State Mental Health Program Directors, Older Persons Division](#)
- [The National Committee for the Prevention of Elder Abuse](#)
- [The National Disability Rights Network](#)
- [Bazelon Center for Mental Health Law](#)

# Third National Guardianship Summit

- Utah Sponsoring Organizations
- The Summit was hosted by the [University of Utah S.J. Quinney College of Law.](#)
- The University of Utah College of Social Work
- University of Utah Center on Aging
- Utah Commission on Aging
- Utah Administrative Office of the Courts.

# Standards

- **Standards**
  - #1 – Core standards
  - #2 – Guardian's Relationship to the Court
  - #3 – Fees
  - #4 – Financial Decision-Making
  - #5 – Health Care Decision-Making
  - #6 – Residential Decision-Making



# Recommendations

- **Recommendations**
  - #1 – Overview of Guardian Standards
  - #2 – Guardian's Relationship to the Court
  - #3 – Fees
  - #5 – Health Care Decision-Making
    - State guardianship statutes should provide that valid health care directives that appoint an health care agent shall remain in effect unless the court determines that the agent is unavailable, unwilling, or unsuitable to perform the agent's duties under the directive
  - #7 – State Interdisciplinary Guardianship and Alternative Committees
    - State courts and NGN organizations should collaborate to establish Working Interdisciplinary Networks of Guardianship Stakeholders (WINGS) to advance adult guardianship reform and implement the recommendations adopted by the Third National Guardianship Summit.

# Persons with Disabilities and Guardianship

- ABA Commission on Disability Rights
  - Roundtable on Guardianship and Supported Decision-Making for Persons with Intellectual Disabilities
- The Bazelon Center
- WINGS (Working Interdisciplinary Networks of Guardianship Stakeholders)
  - Mental Health Group for advocacy
  - Request for Proposals (RFP) – small incentive mini-grants to States (next few months)

# UAGPPJA

- Uniform Adult Guardianship Protective Proceedings Jurisdiction Act (UAGPPJA)
  - Now 33 states
  - National Guardianship Association took initial steps toward implementation of Summit outcome, comparing Standards and Recommendations to the Uniform Guardianship and Protective Proceedings Act
  - Need for coordinated court-community partnerships to implement the Standards and Recommendations of the Third National Guardianship Summit

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Georgia Department  
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