

Guardianship Summit 2011

The National Guardianship Network (NGN) recently convened the Third National Guardianship Summit: Standards of Excellence at the University of Utah, S.J. Quinney College of Law in Salt Lake City on October 12-15th, 2011.

The Summit is a multi-disciplinary consensus conference of NGN and co-sponsoring organization delegates that focused on post-appointment guardian performance and decision-making. Recommendations from the Summit will provide the groundwork for nationally recognized standards for guardians of adults.

The National Guardianship Network is a group of national organizations dedicated to effective adult guardianship law and practice. First convened in 2002, NGN is a collaborative group of leadership organizations. NGN includes the following organizations: 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, and The National Guardianship Association.

The NGN has included several additional national organizations as co-sponsors of the Summit. These include: 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, and Bazelon Center for Mental Health Law.

Articles and topics presented came from the following areas: Guardianship Standards and Ethics, Standards for Making Financial Decisions, Standards for Making Medical Decisions, Standards for Making Residential Decisions, Substituted judgment vs. Best Interest-The Theory and Reality Behind Surrogate Decision-Making Standards, Person-Centered Supported Decision-Making Standards, Standards for Guardianship Fees, Standards for a Guardian's Relation to the Court, and Creating and Sustaining Interdisciplinary Guardianship Committees.

Three additional perspectives included: Practitioner Viewpoints to comment on the law review articles as they are developed, a Family Guardian Focus Group to articulate and advance the family guardian perspective, and Summit Outreach Events to maximize input from the broad-based members of NGN organizations. Barbara Ellis (NGA member and MGA board member) and Jane Gildersleeve

(GANJI Executive Director and NGA/MGA board member) were among the five family guardians selected to develop the recommendations with the guidance of three attorneys from NGA. Our final recommendations were submitted to the Summit and presented to the entire Summit delegates by Melinda Coulter, a family guardian from Florida.

The final recommendations from the Guardianship Summit will be presented at NGA's Colloquium on Guardianship in Albuquerque, New Mexico on May 18, 2012. The decisions will also be published in the Spring 2012 Utah Law Review. The Uniform Adult Guardianship Protective Proceeding Jurisdiction Act (UAGPPJA) was one of the recommendations from the previous Summit known as Wingspan which has been adopted by at least 30 states to date. The website for the Summit is: www.guardianshipsummit.org.