

Guardianship Summit Results in Proposed Recommendations and Standards for Post-Appointment Guardian Performance and Decision-Making

NAELA, along with nine other organizations that make up the National Guardianship Network (NGN), held the Third National Guardianship Summit: Standards of Excellence in October 2011 at the University of Utah S.J. Quinney College of Law. The Summit was made possible by grants from the State Justice Institute, the Borchard Foundation Center on Law and Aging, and contributions made by the NGN and other national co-sponsoring organizations.

NAELA President Edwin M. Boyer, Esq., CAP, led the NAELA delegation to the Summit, which included 92 delegates, observers, authors, funders, and facilitators. Other NAELA delegates included Wendy Cappelletto; A. Frank Johns, CELA, CAP; Rebecca Morgan, CAP; Catherine Anne Seal, CELA; and K.T. Whitehead, CELA.

Standards developed as a result of the Summit offer the groundwork for nationally recognized standards for guardians of adults. The standards were broken down into six categories:

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

Strategies to implement recommendations of the Summit include statutory change, amendments to the Uniform Guardianship and Protective Proceedings Act, administrative rules/regulations, court rules, best practice promotion, and education.

Summit participants recommended starting a campaign to gain support for the recommendations and standards. The participants hope that by implementing the proposed items, they will build alliances with volunteer guardianship programs, the disability community, and public guardians.

The NAELA Guardianship/Conservatorship Steering Committee and Public Policy Committee will review the proposed recommendations and standards before submitting them to NAELA's Board of Directors for review and approval in 2012.

Find more information on the Summit, background information on adult guardianship reform, and existing guardianship standards at www.GuardianshipSummit.org.

The National Guardianship Network consists of the following organizations:

- AARP
- ABA Commission on Law and Aging
- ABA Section of Real Property, Trust and Estate Law
- Alzheimer's Association
- American College of Trust and Estate Counsel
- Center for Guardianship Certification
- National Academy of Elder Law Attorneys
- National Center for State Courts
- National College of Probate Judges
- National Guardianship Association

Other national co-sponsoring organizations that were represented at the Summit included:

- 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