

Innovative & Promising Practices in Adult Guardianship

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Who needs adult guardianship?

Persons under Guardianship (wards) are unable to

- Care for their own basic needs
 - Manage their own finances, or
 - Make their own medical decisions
- and *may* require help from a legal guardian

Situations that leave adults vulnerable and in need of legal protections include:

- Serious health conditions
- Cognitive impairment
- Developmental disability
- Severe mental illness
- Drug addiction



What is a “guardian”?



The National Guardianship Association (2013) defines a guardian as *“a person or entity appointed by a court with the authority to make some or all personal decisions on behalf of an individual the court determines lacks capacity to make such decisions”* (p. 27).



Agenda

Part 1: To examine the trends from a county-wide survey on adult guardianship and share some of the innovative approaches in guardianship practices occurring in Ohio.

Part 2: To learn about the therapeutic focus on adult guardianship through the “Connections Program” and the advocacy role of guardians.

Methodology: Survey

- An online survey was sent to every county in Ohio.
- 62.5% response rate

Survey Highlights

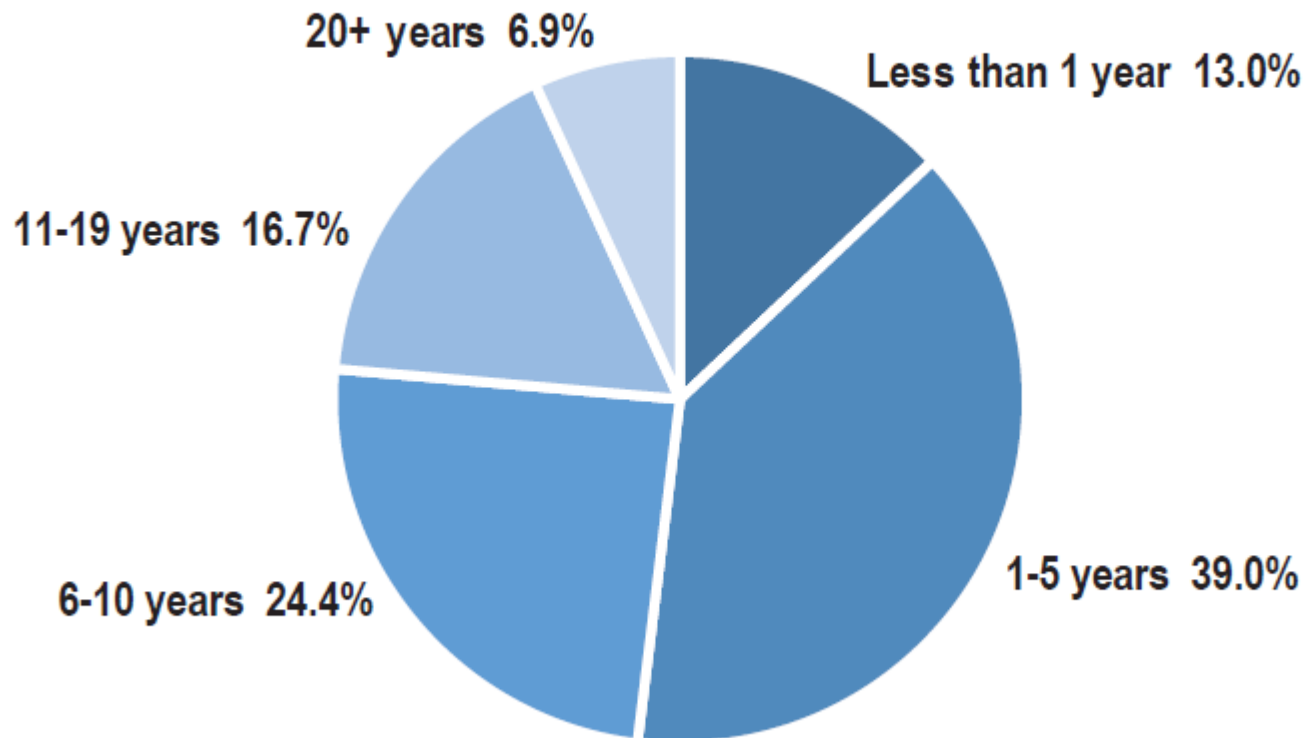
61.5%
of Ohio's counties report that
guardianship caseloads have
increased
in the previous three years.

A family member or friend
served as the guardian in
70.4%
of guardianship cases
opened in 2014.

Only 4%
of adult guardianship cases
were closed because the
person under guardianship
was returned to competency.

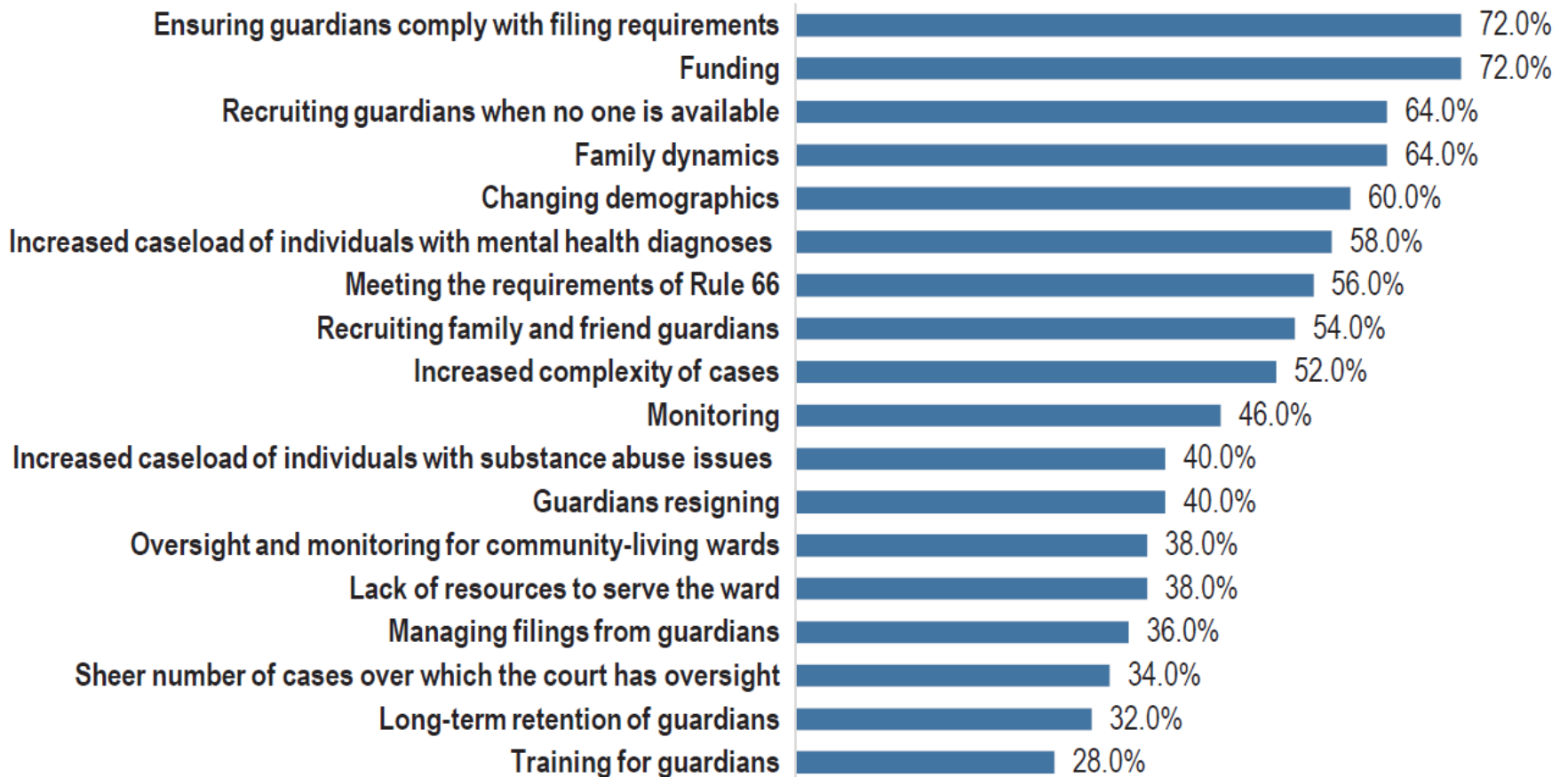
Survey Highlights

Figure 1. Reported Duration of Adult Guardianships



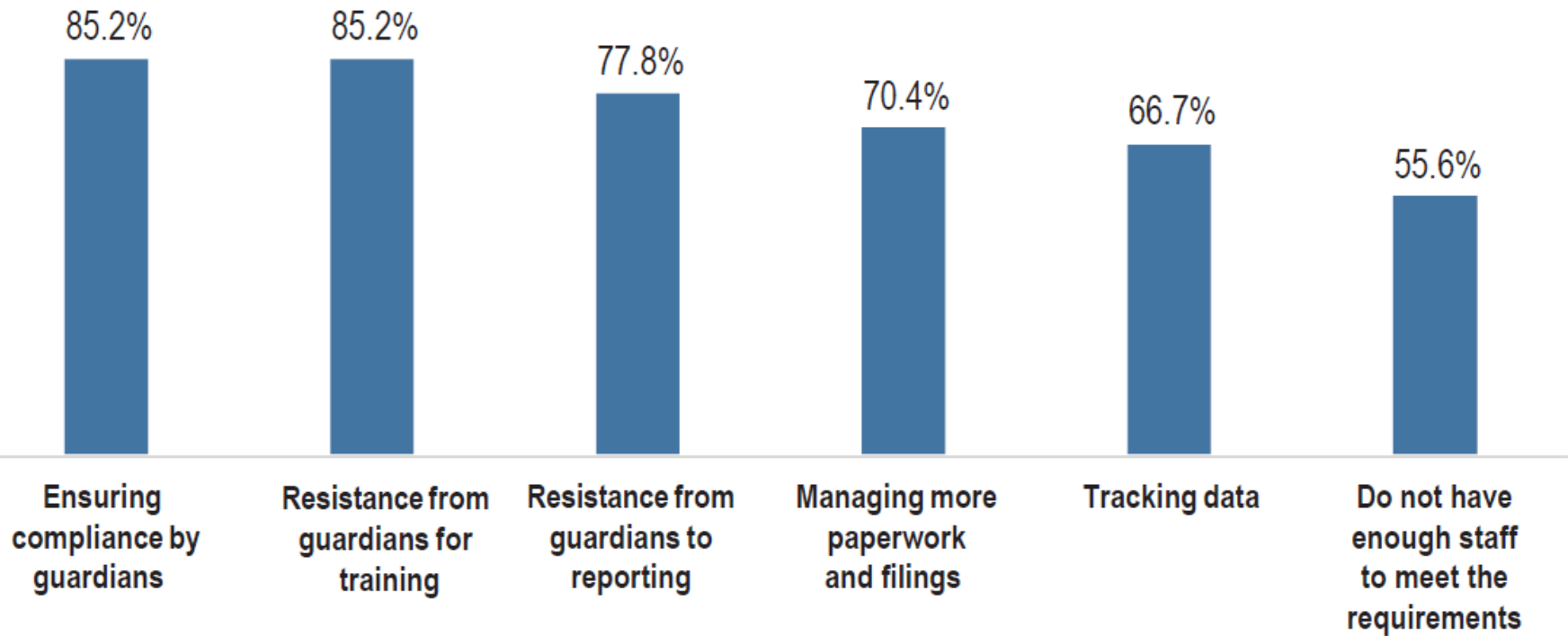
Survey Highlights

Figure 2. Challenges to Managing Adult Guardianship



Survey Highlights

Figure 3. Most Common Challenges Related to Complying with Rule 66



Recommendations from Study

Access Full Report & Brief Online

<https://goo.gl/ZDezvW>

Methodology

- Five (5) counties in Ohio with promising practices in adult guardianship, including: Butler, Cuyahoga, Franklin, Lorain, and Stark.
- Focus groups were comprised of probate court judges and other court staff, guardianship programs, and various types of guardians, including volunteers, family members, and professionals.

Findings

County	Model Practice	Illustrative Quote
Butler	Connections Program	"... I want face time with every single person and that meant 2,000 visits."
	"Servant Leadership"	"... We don't call the shots ...and the courts need to understand that. We do not call the shots." (Judge Rogers)
Cuyahoga	Management of high caseload	"In addition to making sure there's not too many people on the caseload, we want to make sure that there's not too many people with high acuity levels."
	Strong community collaboration	"We are able to collaborate and problem solve and... open communication is really critical for the work that we do."
Franklin	Formal Structure	"It's a collaboration that's not been done before."
	Volunteer Guardian Program	"...We case manage so they can do their jobs better."

Findings

County	Model Practice	Illustrative Quote
Lorain	Longevity and community responsiveness	“One of the strengths is we have longevity but also a structured program.... We’re able to grow correspondingly if the caseloads require it.”
	Diverse funding sources	“And so as part of being non-profit... we are funded by the government, but we are also funded by foundations and individuals themselves...”
Stark	Creative Use of Volunteers	“We also have student volunteers and that’s partnerships with the local universities.”
	Securing Financial Resources	“We did receive a grant in order to ramp up that [volunteer] program and we’ll have a full-time recruiter as well as, a director who will oversee the whole thing”

Conclusion

Common themes among these model counties include:

– Commitment to Excellence

- Strong local leaders
- Develop innovative strategies that will work well in your county that are consistent with the National Guardianship Association

– Collaboration

- Bringing together local public and private organizations for professional networking and support

– Resource Stability

- Find out what resources are available and bring them together to adequately support adult guardianship

Connections Program

- Created to have face-to-face visits with Guardian and the Person being served
- Builds relationships with Guardian and Person being served
- Avenue to discuss concerns regarding changes in Guardianship and Rule 66

Connections Program

- Completed 1,404 visits to Butler County wards to date
- Guardianships go back to 1976
- Program will develop into a two year rotation schedule to visit all Guardians in Butler County
- Creates a profile of the Person to increase continuity of care

Therapeutic Approaches in Guardianship

- Fosters the relationship between the Court and the Person being served
- The Probate Court is the Superior Guardian; not the day to day decision maker
- Ability to connect with Guardians and Persons being served in the community
- Mediation is offered to solve problems outside of the courtroom

Professional Guardianship Advocate and Decision Maker

- Relationships and Navigating the System
- Working with the Person's family
- The right questions to ask and the right to ask questions
- History and Continuity of Care
- Limitations

Professional Guardianship Advocate and Decision Maker

- **Aging** • **Mentally Ill** • **Developmentally Disabled**

Finding your Ally in Care

- Social Workers
- Case Managers
- Board of Developmental Disabilities
- Medical Professionals
- Palliative and Hospice Care

Protecting the Autonomy of the Person

- Focusing on the Ward
- Health and Safety
- Substituted Judgment vs. Best Interest
- Setting Aside Personal/Family Conflict

Case Study

Questions

Thank you

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