

Strengthening Rights and Ensuring Accountability in Guardianship Systems and Practices

INFORMATION AND RESOURCE GUIDE • September 2022

Improvements to state court adult guardianship systems can include the promotion of less restrictive options, strengthening rights, and ensuring accountability. Making significant changes in practice and systems requires commitment and collaboration of many, including courts and the legal, aging, and disability communities.

Elder Justice Innovations Guardianship Grants

The Administration for Community Living's Elder Justice Innovation Grants program supports the development and advancement of knowledge and approaches in new and emerging issues related to elder justice. Projects assess and implement improvements in the handling of the adult guardianship and conservatorship process by state courts. This includes enhancing the fairness, effectiveness, timeliness, safety, and integrity of adult guardianship/conservatorship proceedings; addressing access to guardianship revocation and alternative pathways and proceedings that promote less restrictive means of supported decision-making; and developing innovations to improve the experiences of individuals at risk of guardianship/conservatorship. Learn more about three of the state court projects below:

The Maryland Court of Appeals

The Maryland Court of Appeals is conducting a comprehensive statewide assessment of the existing guardianship process and system to identify current strengths, weaknesses, concerns, and needs; developing a response to that assessment with interventions to address identified weaknesses, concerns, and needs; producing an evaluation aimed at measuring the quality of the assessment and the effectiveness and replicability of the interventions; and disseminating findings.

The Judiciary Courts of the State of Minnesota

The Judiciary Courts of the State of Minnesota is designing and implementing a guardian/conservator grievance/investigation process to alert the court of potential maltreatment and fraud. The process will be designed to detect fraud and abuse of individuals subject to guardianship/conservatorship. It will document and track information received by better utilizing, and enhancing where necessary, electronic record systems. Minnesota is contracting with Volunteers of America to provide training in supportive decision-making to inform judges, guardians, conservators, interested parties, and court visitors on topics that support and protect the interests of individuals under a guardianship/conservatorship.

The Oregon Office of the State Court Administrator

The Oregon Office of the State Court Administrator is establishing processes that will enable courts to better detect financial mismanagement of protected person's assets and conduct a comprehensive study of the Oregon court's guardianship and conservatorship monitoring practices.

Additional Resources

- [Elder Justice State Court Grants](#)
- [Working Interdisciplinary Networks of Guardianship Stakeholders \(WINGS\)](#)
- [WINGS Replication Guide](#)
- [4th National Guardianship Symposium](#)
- [The Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act \(UGCOPAA\)](#)
- NCLER Trainings: [Guardianship & Alternatives](#)
- National Center on Elder Abuse: [Guardianship & Conservatorship Publications](#)

Case consultation assistance is available for attorneys and professionals seeking more information to help older adults. Contact NCLER at ConsultNCLER@acl.hhs.gov.

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