

**OPG Commission meeting
Director Report
09.23.2020**

Purpose: The Director Report will provide detailed information about new matters, updates about the previous month's matters, and next steps for the following month. The Director will provide the Director Report to all Commission members. Questions about the Director Report will be addressed at the Commission meetings, if necessary.

Attachments for the 09.23.2020 meeting:

- Attachment 1: SCAO/Judicial Provided Monthly Budget Summary
- Attachment 2: Emails with Hugh Wilson
- Attachment 3: SMA Provided LawBank and Office Space Expenditures 09.23.2020
- Attachment 4: Policy 5. Colorado OPG Fiscal Policy
- Attachment 5: Policy 6.4. Colorado OPG Emergency Referrals and Emergency Guardianship
- Attachment 6: Policy 7. COVID-19 Services Standards and Work Plan

I. Administrative Infrastructure Update.

- a. I was informed that the Colorado Supreme Court approved my application for admission to the Bar of the State of Colorado. I'm the process of scheduling my swearing-in
- b. The OPG/Director will begin renting one office at LawBank, 3900 E. Mexico Avenue, Denver, CO 80120. The Staff Assistant and Public Guardians will work at shared/co-working space while also continuing to work remotely. Tentative move in date is October 12, 2020. See Attachments 1-3.
 - i. Hugh Wilson, SCAO Budget Manager, reviewed the expenditure for the office space and ran a cost comparison

with the Office of the Child's Representative (OCR). Mr. Wilson indicates that the OPG office expenditures are less than the OCR with similar FTE and space needs.

1. 1-year rent expenditure Option 4 - \$21,600.00 per year. While Hugh Wilson supported renting 2 offices, I felt it was still not cost-effective.
2. IT Support expenditure: \$3,600.00 per year. I interviewed two IT Support businesses recommended to me by OCR and an attorney. Since the OPG is already set up in the cloud and the website is established, I decided to contract with NetTech, a local Denver IT business because the contract includes cloud backup, 3 hours per month of IT Tech Support, and anti-virus and ransom ware protection. This estimate came in significantly lower than the other business whose annual rates ranged from \$5,800.00 - \$11,460.00, for similar services.
 1. There may be some additional expenditures for licensing as we move from Judicial licenses to our own OPG licenses. This should be minimal and under \$500.00 total.
3. Printer/Scanner/Copier expenditure. To keep office space expenditures down, the Staff Assistant and Public Guardians will mostly work remotely. I will purchase printer/scanner/copier machines, paper and toner cartridges as needed for the Staff Assistant and Public Guardians. The LawBank rent includes up to 2,000 black & white pages of copier/printer machine. Staff Assistant and Public Guardians will be asked to print big jobs at the office. The LawBank space does not have scanners for use. All OPG staff will need to regularly scan documents when serving clients and receiving mail.
4. Phone/Efax/VM expenditure: As we will no longer be using a Judicial phone or line, there will be monthly

expenditures for a line dedicated to the office to receive voicemails, efax, etc. The LawBank space includes a receptionist and a phone, so I am currently interviewing for a compatible cloud-based phone system, in case that is necessary. It may be necessary so OPG “keep” the OPG phone number and not change it again if we move at a later time. Based on my current information this monthly expenditure should be minimal, \$50.00 or so.

- c. CO OPG website now has a Commission meeting calendar and audio recording of meetings will also be posted.
 - i. Side note: The audio recording of the 08.26.2020 Commission meeting met with technical difficulties and did not properly record.

II. **Budget and MOU Update.**

- a. I previously provided the August 2020 monthly budget report that is provided to me from Hugh Wilson’s office and an email indicating the annual “working budget” amount of \$163,884.00. See Attachments 1-2.
 - i. Now that I’ve located office space, I opted out of the 2021 RTD EcoPass state contract. The current 2020 RTD contract runs through 12.31.2020.
- b. **MOU Update – In progress.** I and AG Enck continue to work with SCAO/Judicial to update the MOU to accurately reflect our relationship. An updated MOU is still in progress.
- c. **Representative Payee, etc. issue – In progress.** AG Enck and I are waiting for contract review & response by Colorado Fund for People with Disabilities.

- III. **Stakeholder Engagement Plan – In progress.**

- IV. **Colorado OPG Pilot Program Operating Policies Updates – In progress.** Operating Policies and Manual will be posted to CO OPG Website once updates are complete.
 - a. **Policy 5. Colorado OPG Fiscal Policy – Complete, See Attachment 4.** I previously provided a draft of the Fiscal Policy with the assistance of Commissioner Bennett-Woods and AG Enck. I incorporated the requested amendments that were approved at the 08.26.2020 Commission meeting.
 - i. The policy may need updating if the OPG pays for filing fees and use off the electronic Courts System

 - b. **Policy 6.4. Emergency Petition Policy Draft – In progress, See Attachment 5.** I incorporated the Commission’s requested amendments from the 08.26.2020 Commission meeting. See Attachment 5 for the updated version.

 - c. **Policy 7. COVID-19 Services Standards and Work Plan Updates – In progress,** See Attachment 6 for the updated version.

 - d. **Policy 8. Ensuring Systemic Equality – In progress.** No update.

 - e. **Internal Ethics Committee – No update.** AG Enck and I continue to research the creation of the Committee for discussion at an upcoming CO OPG Commission meeting.

 - f. **Colorado OPG Commission Conflict of Interest Policy draft.** AG Enck previously provided a draft for review.

g. Trainings and Projects

- i. Resource Project - Ongoing. Team review of other organization's online resources, etc. for creation of targeted and organized resources for CO OPG internal purposes and CO OPG website purposes
- ii. Individual Director and Guardian training coursework for CGC National certification: In progress.
- iii. Weekly individual Case Conference with Public Guardians and Director
- iv. Weekly Group Conference with Public Guardians and Director
- v. Weekly Administrative Team Meetings with Public Guardians, Staff Assistant, and Director
- vi. 08.31.2020: Rocky Mountain Human Services Medicaid Waiver Training
- vii. 09.17.2020: Practical Approaches to Race-Based Stress and Trauma in Older Adults webinar – CU Anschutz Multidisciplinary Center on Aging and Veteran's Community Partnership
- viii. Registered for National Guardianship Association Annual Conference held virtually on 10.19.2020 – 10.2020. Attendance will also complete the required hours for CGC certification
 - a. I will also attend the Legal and Legislative Review held virtually on 10.26.2020 - 10.27.2020

- ix. 11.19.2020: Booster training with Lifelong, Inc.
- x. TBD: Data Collections Project. Team review of policies and research to assist in Director Report research needs
- xi. TBD: Cross-training with Brothers Redevelopment
- xii. TBD: Cross-training session with Colorado Cross Disability Coalition
- xiii. TBD: Training with previous DFC Navigator

h. Intake Eligibility, Prioritization and Referral Process.

- i. Update on number of registered users, referrals, accepted cases, etc. as of **09.21.2020**. An update will be provided at the 09.23.2020 meeting.
 - 1. 75 registered users
 - 2. 48 registered referrals
 - 3. 25 accepted referrals 7 filed, waiting for hearing/appointment – attorneys, hospitals, VA, Ft. Logan
 - 4. 4 Partial/Incomplete referrals
 - 5. First appointment on 08.17.2020: Currently appointed & acting as guardian for 9 clients
 - 6. 1 referral closed due to AIP death
 - 7. 1 referral closed due to AIP leaving hospital AMA
 - 8. Declined referrals
 - 1. Expired/Incomplete information – 1
 - 2. Inappropriate referral - 2
 - 9. 14 streamlined referrals (Non-Denver County) – Declined
 - 1. Arapahoe County - 2
 - 2. El Paso - 1
 - 3. Larimer County - 3

4. Weld County - 4
5. Montrose County - 1
6. Washington County - 1
7. Gunnison County – 1
8. Jefferson County - 1

ii. Rocky Mountain Human Services

1. Momentum/Community Transition clients. This program is considering funding additional OPG FTE to primarily serve this clientele
2. Mill Levy Program clients. I'm in discussions with the Program Director for referrals. They have approximately 50 – 60 clients they can refer to the OPG

iii. CMHI/Ft. Logan is working with their assigned Attorney General to file petitions. They are about to file the first one and intend to use that as a test to file the other 3 referrals that we have accepted

iv. Consideration of OPG filing guardianship petitions and Consideration of OPG funds to pay filing fees

1. The CO OPG will not file petitions for guardianship. The issue may be explored if/when the Pilot Program is expanded
2. **C.R.S. § 13-94-106: Waiver of Court Costs & Filing Fees** and whether it applies to Filing fees related to a Petition or post-appointment issues only.
 1. Communications with Denver Probate Judge indicates that the Court applies the C.R.S. § 13-94-106 fee waiver to the OPG when it is the Petitioner. A fee waiver under this statute will NOT apply to a party petitioning on behalf of the OPG or otherwise nominating the OPG

2. **Criteria for OPG to pay filing fees.** The Director will review a request for payment of filing fees and ensure that assistance by the OPG does not create a financial hardship for the OPG. The Referring Party/Entity/Organization will provide written documentation showing:
 - a. Alleged Incapacitated Person (AIP) is indigent
 - b. The Referring Party is unable to pay the filing fee
 - c. The Referring Party applied to CBA Metro Volunteer Lawyer Program (MVL) and the MVL Program is unable to pay the filing fee
 - d. The Referring Party applied for a Fee Waiver and it was denied by the court
 - e. Without assistance by the OPG, the AIP is more likely than not to not have an appropriate guardian appointed
- v. Consideration of OPG contracting with attorneys or organizations to file petitions. Potential organizations:
 1. OPG will not contract with attorneys or entities at this time. All but 2 referrals have obtained legal representation. For the pending 2 referrals, I've provided the following information:
 2. Medical Legal Partnership (MLP).
 3. Colorado Cross-Disability Coalition (CCDC).
 4. Coalition of attorneys through the CBA Metro Lawyer Volunteer Program.
- i. **Data gathering - In progress.**
 - i. The Case Management System (CMS). In addition to tracking all client information, OPG interactions, and documents, the

CMS is designed to collect the following statewide information:

1. Various demographic information for all referrals
 2. Streamlined referrals for Non-Denver County referrals with limited demographic information
 3. Declination of referrals, including deaths
 4. Modification or Termination of cases
 5. Time and costs of public guardian services for accepted referrals and active cases
 6. Formal complaints filed through the CO OPG Compliant Process
 7. Various aggregate data reports without client identifying information
 8. Stakeholder interactions
 9. The CMS is designed to prepare court pleadings and internal documents specific to the CO OPG
- ii. In October, I'm scheduled to record a webinar with SCAO staff for all Judges and Court staff to review the CO OPG and referral process
- iii. I need to follow up with Silver Key Senior Services on assisting with data collection
- iv. I need to follow up with AJ Diamontopoulos – DRCOG, for date and research collaboration
- v. Judge Leith and I reached out to 7th & 16th Judicial Districts Judges, regarding CO OPG streamlined referral process and possible presentation to local attorneys – In progress
- vi. 08.10.2020: Email correspondence and meeting with Jackie Glover – CU Anschutz Center for Bioethics & Humanities,

for OPG presentation to Ethics Grand Rounds and data and research collaboration

- vii. 08.25.2020: Email correspondence with Terry Hammond – Terry Hammond Law and Consulting. Charles Golbert recommended I speak with Mr. Hammond regarding data and research
- viii. I reached out to Dr. Lotta Graham-Bentley and Dr. Eric Chess – Knoebel Institute for Health Aging, regarding a PhD grad student to focus on research
- ix. I reached out to Jodi Waterhouse – Program Manager, CU Anschutz Multidisciplinary Center on Aging, regarding a PhD grad student to focus on research

V. **Colorado OPG Strategic Plan.** Draft previously provided – no updates.

VI. **Stakeholder Meeting Update** since 08.26.2020.

- a. 08.28.2020: Phone conference with Desta Taye-Chanell - Director of Student & Family Services, Florence Crittenton Services, regarding a potential referral
- b. 08.31.2020: APS and OPG joint presentation to Swedish Medical Center Social Workers regarding guardianship and criteria for each program
- c. 09.02.2020: Email correspondence with Linda Kendall Fields – Clinical Assistant Professor, UNC Chapel Hill School of Social Work, Facilitator NC Rethinking Guardianship. Dr. Kendall Fields reached out to me regarding private and public guardian training as Colorado is a best practice state

- d. 09.02.2020: Meeting with Anthony Pereira and Ivonne Esparza – CBA Metro Volunteer Lawyer Program regarding potential referral system for OPG referring parties to locate legal representation
- e. 09.08.2020: I presented to the Colorado Guardianship Association about the OPG, referrals, barriers, etc.
- f. 09.08.2020: Phone conference with Katie Donahue, City Attorney – Mental Health Division to schedule a cross training
- g. 09.08.2020: Email correspondence with Audrey Caudill – Social Work Manager, Porter Hospital, regarding a potential referral
- h. 09.09.2020: Attend Denver Forensic Collaborative meeting
- i. 09.09.2020: Email correspondence with attorney Sandra Sigler regarding a potential referral
- j. 09.10.2020: Meeting with Ryan Holmes – Ft. Logan, and Ann Pogue – Attorney General’s office, regarding filing of petitions for Ft. Logan referrals
- k. 09.14.2020: Meeting with Deb Hutson – CDHS, Manager of Momentum and Transition Services, and Karen Levine – RMHS Director of Community Transitions, regarding potential funding for OPG staff and Momentum clients
- l. 09.15.2020: Phone conference with Lynn Lowe – Denver Forensic Collaborative Navigator, regarding a potential referral
- m. 09.16.2020: Meeting with Chris Brock – attorney, Colorado Cross Disability Coalition, and Aaron Allen – RMHS, Program Development Specialist, Mill Levy, regarding potential referrals
- n. 09.16.2020: Meeting with Chris Brock – attorney, Colorado Cross Disability Coalition regarding referrals

- o. 09.18.2020: Email correspondence with Jessica Garza – Social Worker, Accel at Golden Ridge Home, regarding a potential referral
- p. 09.18.2020: Email correspondence with Jenna Willis, – Social Worker, Assisted Living of Denver, regarding a potential referral
- q. 09.18.2020: Meeting with Jackie Glover – CU Anschutz Center for Bioethics & Humanities, regarding Ethics Grand Rounds presentation and possible data collection
- r. Various: Phone conferences with Megan Leppke – Social Work Director, Denver Health regarding referrals

Attachment 1: SCAO/Judicial Provided Monthly Budget Summary

FY21 Cash Fund Revenue & Expenses - Office of Public Guardianship - YTD 9/1/2020

	FISCAL YEAR 2021		
	PRIOR YEAR (FY 2020)	YTD Revenue less YTD Expenses	Projected Revenue less Projected Revenue
Total Revenue	1,038,857	97,149	1,053,789
Total Expenditures	220,886	59,338	733,844
=Net Change	817,971	37,811	319,945
Beg Fund Balance	-	817,971	817,971
= Fund Balance	817,971	855,782	1,137,916

Sum of Jrnl Posting Amt	Column Labels		
Row Labels	1	2 Grand Total	
Revenue	245.00	(97,394.00)	(97,149.00)
5500	245.00	(96,295.00)	(96,050.00)
5900		(1,099.00)	(1,099.00)
#N/A		(1,099.00)	(1,099.00)
Expense	48,654.43	10,683.75	59,338.18
(blank)	48,654.43	10,683.75	59,338.18
1920 -Other Professional Services	1,200.00	10,683.75	11,883.75
1210 -Contractual & Non-Classified Full-Time Wages	33,530.36		33,530.36
4256 -Other Employee Benefits - Eco Pass	1,509.00		1,509.00
1511 -Classified Health Insurance	4,564.60		4,564.60
1522 -Classified PERA	3,234.51		3,234.51
1524 -Classified PERA Amortization Equalization Disbursement (AED)	1,675.87		1,675.87
1520 -Classified Medicare	479.90		479.90
1513 -Classified Short-Term Disability	50.30		50.30
1521 -Classified Other Retirement Plans	490.58		490.58
1510 -Classified Dental Insurance	197.48		197.48
1512 -Classified Life Insurance	45.96		45.96
1525 -Classified PERA Supplemental AED	1,675.87		1,675.87

Attachment 2: Emails with Hugh Wilson

RE: CO OPG office space update

wilson, hugh <hugh.wilson@judicial.state.co.us>

Tue 9/15/2020 2:52 PM

To: Sophia Alvarez <sophia.alvarez@colorado-opg.org>

I just ball parked it but OCR has space for 13 FTE in Carr and occupy a bit over 5.5 K square feet and will pay \$90K in rent. That is at a rate of \$16.32/square foot which is low for downtown office space. So if you pay \$44K for space for 6 FTE to use then I think its reasonable.

Finally I'd think we need to talk with DPA at some point (we have time on this) and maybe they could find you space in Capital Complex a year from now after they've figured out what they are doing with their space.

Hope this helps.

Hugh

From: Sophia Alvarez <sophia.alvarez@colorado-opg.org>

Sent: Tuesday, September 15, 2020 1:52 PM

To: wilson, hugh <hugh.wilson@judicial.state.co.us>

Cc: henthorn, mike <michael.henthorn@judicial.state.co.us>

Subject: Re: CO OPG office space update

Thanks Hugh, this is very helpful.

Do you feel comfortable providing a summary of the cost comparison that you ran, that I can provide to the Commissioners and public?

I'll discuss with Kelsey & let you know if we have any questions.

Best Regards,



Sophia M. Alvarez J.D., M.S.

Director

Colorado Office of Public Guardianship

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Denver, Colorado 80203

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sophia.alvarez@colorado-opg.org

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From: wilson, hugh <hugh.wilson@judicial.state.co.us>
Sent: Tuesday, September 15, 2020 1:47 PM
To: Sophia Alvarez <sophia.alvarez@colorado-opg.org>
Cc: henthorn, mike <michael.henthorn@judicial.state.co.us>
Subject: RE: CO OPG office space update

Sophia:

In looking at the report that Mike sends you monthly, it appears that your payroll costs including benefits etc run about \$47,500/month which means about \$570,000 annually . You "budget" or appropriation is \$733,844 for the fiscal year. That leaves you \$163,844 to run you operations and pay all other expenses. Mike will start breaking out monthly payroll costs for you when he provides your monthly expenditure report.

As far as space is concerned- if you went with Option 1 with 2 offices at \$44,400 per year that would be in line with what agencies are paying here at the Carr Building which is (was) significantly below market rate. I would suggest you go with this option. We can talk about this more.

If you have any questions please don't hesitate to contact me.

Hugh K. Wilson

Budget Manager Colorado Judicial Branch Division of Financial Services

1300 Broadway, Suite 1200 Denver, CO 80203 Work: (720) 625-5962 Cell: (303) 621-6040

From: Sophia Alvarez <sophia.alvarez@colorado-opg.org>
Sent: Tuesday, September 08, 2020 1:31 PM
To: wilson, hugh <hugh.wilson@judicial.state.co.us>; Kelsey Lesco <klesco@disabilitylawco.org>
Cc: America Paz-Pastrana <america.pazpastrana@colorado-opg.org>
Subject: CO OPG office space update

Good morning,

I wanted to touch base with you about office space.

I met with Jay Kamlet, of LawBank and toured the "CoBo" location on Friday:
<https://law-bank.com/locations/lawbank-cobo/>

LawBank has a lot of amenities, some of which are listed on this website.

I think this space could work, assuming that all staff are still allowed to work remotely.

As monthly parking is available and expensive at this area, and the guardians will be out of the office visiting clients/meetings, I want the guardians to continue to primarily work remotely.

Due to the cost, America (Staff Assistant) and I can share an office and alternate days with working remotely so that we can comply with the COVID-19 6 foot safety rule and we won't be talking over each other with calls/meetings.

With renting one office space, we will still have access to 5 conference rooms and other/shared work space. I want the guardians physically come to the office 2-3 times per month for group training, team meetings, etc. This will allow them to still have space to work on the the day they come in and not have to pay so much for parking. Wlth that, there will be mileage reimbursement costs for attending court hearings, client visits, etc.

There will also be an additional cost of 1 - 2 printers/scanners (accompanying toner/ink) for the guardins to use on a daily basis at their home offices. Part of the amenities at LawBank is free 2,000 page printing per month. So, guardians will print big projects at the office.

With this smaller expenditures, I still believe it will be less expensive than renting more office space.

I'd like your feedback, as you may have another perspective. Attached are some options and costs.

Hugh:

1. I would like to know if the OPG can be placed on a Waiting List for office space in the Carr building and if the space would still be free?
2. Can you also send an updated annual budget that shows the salary/wages/benefits, so I can see what funds I actually have to work with?

If you'd like to schedule a call or if you need more information, please let me know.

Best Regards,



Sophia M. Alvarez J.D., M.S.
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Attachment 3: SMA Provided OPG LawBank and Office Space Expenditures 09.23.2020

**LawBank and Office Space Expenditures 09.23.2020
I-25 and South Colorado Blvd
3900 East Mexico Avenue**

		OPTION 1*		OPTION 2*	
Available*:		Office - 1	\$ 1,800.00	Office - 1	\$ 1,800.00
Office - 1	\$ 1,800.00	Office - 2	\$ 1,900.00	Desk	\$ 650.00
Office - 2	\$ 1,900.00	Total/mo	\$ 3,700.00	Total/mo	\$ 2,450.00
Desk	\$ 650.00				
		Total/Yr	\$ 44,400.00	Total/Yr	\$ 29,400.00

OPTION 3*		OPTION 1 - DISCOUNTED*	
Office - 1	\$ 1,800.00	Office - 1	\$ 1,800.00
		Office - 2	\$ 1,900.00
Total/mo	\$ 1,800.00	Total/mo	\$ 3,400.00 *DISCOUNTED*
Total/Yr	\$ 21,600.00	Total/Yr	\$ 40,800.00

*With all options, public guardians/staff assistant can use other work-share space at no additional cost

OPTION 1

Director & Staff Assistant each have an office

OPTION 2

Director has office and Staff assistant uses desk that is placed in a suite with 3 other desks/attorneys

*Concern about client confidentiality, 4 conversations going on at once & inability to talk without a mask and mask and be in compliant with 6 foot COVID-19 safety rule

OPTION 3

Director has an office

Brother DCP-L2550DW B/W Laser Printer/Scanner/Copier

Staples \$ 160.58 EACH

Toner Cartridges

TN-730 SY \$ 31.12
 TN-760 HY \$ 55.48
 DR730 Sy \$ 71.04
 Staples TN-760 HY \$ 39.78

Staples Paper - 10 reams \$ 57.96

IT Support - NetTech

\$ 300/month

TOTAL/Yr \$ 3,600.00

Phone/VM/Efax

Estimated \$50/monrh

TOTAL/Yr \$ 600.00

Mileage will be reimbursed at the Judicial established rate. The LawBank space will be the "home" office address for mileage & mail purposes



COLORADO OFFICE OF PUBLIC GUARDIANSHIP

POLICY 5: FISCAL STANDARDS

Policy 5. Fiscal Standards

- a. The Colorado Office of Public Guardianship (OPG) shall maintain fiscal stability. Written policies will demonstrate that the Colorado OPG is operating in accordance with Generally Accepted Accounting Principles.
- b. Pursuant to C.R.S. § 13-94-104(4)(c), the Colorado OPG will operate in accordance with current Judicial Branch Fiscal Rules.
- c. Pursuant to the Memorandum of Understanding between the State Court Administrator's Office (SCAO) and Colorado OPG, most currently executed on December 2, 2019, the SCAO may provide assistance with budgeting, purchasing, and grants.
 - a. Judicial will provide the Office with accounting assistance until the Office has sufficient accounting staff
 - b. The Director is responsible for payment of all bills and expenses incurred by the Office
 - c. The Office retains responsibility for ensuring that all payments comply with state law.
 - d. The Office shall follow Judicial fiscal rules.
- d. Outside review or audit of the Colorado OPG's fiscal situation will occur to provide the checks and balances necessary to assure good fiscal management. Whether it is conducted by a CPA or by a governmental entity, it will be separate from any group or entity with direct oversight responsibility for the Colorado OPG to assure objectivity. The Colorado OPG will demonstrate by OPG Commission minutes or policy that action has been taken on exceptions noted by that fiscal review or audit. If the Colorado OPG is audited by a governmental or funding entity already, that audit may be considered to meet this requirement, as long as the entity is independent of the agency managers or the OPG Commission.

Policy 5.1. Financial Agency Records

The Colorado Office of Public Guardianship (OPG) shall develop a written policy and practice to ensure that it operates within a system of internal controls that govern receipts and disbursements, assure that funds for business/client operations are handled prudently, demonstrate that checks and balances are in place, and retain fiscal records to reflect those practices.

The Director shall maintain a working budget and accounting system to use as a check and balance against the budgeting and accounting documentation by the SCAO.

PURCHASES

The Colorado OPG Commission Chair shall review capital expenditures over \$5,000.00.

Purchases may be made using the state-issued credit cards in accordance with the following:

- a. The Director is authorized to have a state-issued credit card.
- b. Authorized use of credit cards includes, but is not limited to:
 - i. Staff travel expenses, including airfare, lodging, food/meals, parking and incidental expenses.
 - ii. Periodic meetings (including food) with judicial officers, attorneys (and their staff), and/or other stakeholders (NOTE: meetings may be held at various locations throughout the state). The 20- mile limitation included below under "Travel" does not apply to these periodic meetings.
 - iii. Small purchases (less than \$500 per item).
 - iv. Training supplies and expenses.
 - v. Office supplies.
 - vi. Ongoing services, such as, telecommunication services, ISP, etc.
 - vii. Center for Guardianship Certification approved courses for National Certification and Master Certification application and renewal
 - viii. National Certification and Master Certification application and renewal
 - ix. Dues and Memberships – The Colorado OPG may pay for the following dues/memberships for staff:
 1. Colorado Bar Association (including subsections of the bar)
 2. Colorado Attorney Regulation
 3. National Guardianship Association
 4. Other memberships as appropriate based on the employee's responsibilities
 5. Institutional memberships in relevant organizations (e.g., National Guardianship Association, elder rights)
 6. Other dues/memberships as approved in advance by the Executive Director
 - x. Conference registration

xi. Awards/gifts

1. Awards/gifts to volunteers or OCR employees (e.g., upon retirement), including unpaid interns, not to exceed \$150 are authorized upon the approval of the Executive Director.
2. Awards/gifts to volunteers or OCR employees described above shall not be cash or a cash equivalent (e.g., gift card).
3. Gift cards used as training incentives are not considered “gifts” and are therefore not prohibited expenditures. The limited use of incentives (including gift cards with a face value not to exceed \$25.00) is a legitimate tool in motivating adult learning and training. The purchase of gift cards for employees is prohibited.
 - a. Staff purchasing gift cards must indicate the following on the receipt (or on an accompanying document):
 - i. Number of gift cards purchases and the face value that, in total, matches the amount purchased on the receipt.
 - ii. The purpose (e.g., training event) for which the gift cards are purchased.
 - b. Staff must maintain a record of gift cards distributed that reconciles with gift card purchases.

xii. Other expenses as approved by the Executive Director, OPG Commission and CO OPG Chair.

- c. Credit card purchases must adhere to all other relevant provisions in these policies and procedures, including the requirement that purchases must be for reasonable and necessary expenditures of the Colorado OPG.
- d. The Director and Colorado OPG Chair shall determine the dollar purchase threshold for each credit card and shall ensure purchases are made in accordance with any other limitations in this policy.
- e. Cardholders must make diligent efforts to avoid paying tax on purchases. In the event tax is ultimately charged on a purchase, cardholder must indicate efforts to avoid the tax on the receipt or provide other documentation of such efforts.
- f. Credit card receipts should be submitted to SCAO Judicial Accounting by the 10th of the following month after the purchase.
- g. Detailed receipts showing items purchased, including meals, must accompany all credit card receipts.
- h. Receipts for meals for multiple people must identify all staff included on the receipts and number/roles (e.g., Director, Public Guardian) of other attendees.
- i. Transactions not supported by receipts must be supported by memo, email or some other documentation sufficient to describe the transaction and explain why a receipt was not obtained.

- j. The OPG Commission Chair shall review the Director's monthly credit card statement for reasonableness and compliance with Colorado OPG's credit card policies. Such review shall be documented by signing or initialing the credit card statement, or providing other reasonable documentation indicating approval.

CONTRACTS

- a. The Director has the authority to enter into contracts on behalf of the Colorado OPG.
- b. Multi-year contracts are permitted provided such contracts contain a clause which conditions the continuation of the
- c. Contracts are required prior to the performance of services as follows:
 - i. Services costing more than \$25,000.00
 - ii. As determined by the Director and SCAO
- d. Quotes/Bids
 - i. A minimum of three price quotes are required for goods exceeding \$5,000 (per unit) and services exceeding \$25,000.00
 - ii. If, due to the specialized nature of the goods or services, the Director determines only one vendor can provide the goods/services the Director may waive the requirement for three quotes with a written explanation of the basis for such waiver
 - iii. If it is not possible to obtain three quotes, the Director may waive the requirement, documenting in writing the circumstances surrounding the waive
 - iv. Multiple price quotes are not required if the Colorado OPG is able to obtain pricing that has already been competitively bid, quoted, etc. (e.g. by utilizing Executive branch pricing agreements, Judicial Branch (SCAO) pricing agreements, etc.).
 - v. The Colorado OPG may purchase goods and/or services in excess of the limits above without obtaining multiple quotes by utilizing any other procurement mechanism available to Executive Branch or other governmental agencies (e.g., Statewide Internet Portal Authority – SIPA).
 - vi. The Colorado OPG is not required to select the lowest quote. However, a memo or similar documentation must indicate why a particular quote was selected if it is not the lowest quote.
 - vii. Formal bids may be used for large and/or complex purchases. Colorado OPG will follow SCAO procurement rules and will consult with procurement officials from SCAO to ensure proper bid processes are followed.

PROHIBITED EXPENDITURES

The following expenditures are prohibited (NOTE: this is not an exhaustive list):

- a. Personal, non-OCR related expenditures
- b. Political expenses
- c. Fines/penalties
- d. Entertainment expenses
- e. Alcoholic beverages
- f. Gift cards/cash for employees
- g. Any other expenditure as determined by the Director and the Colorado OPG Commission

VENDOR PAYMENTS

The Director does not have access to Colorado OPG funds. Therefore, the Director will approve invoices, not account statements, by placing the Colorado OPG funding code, Director signature, and approval date directly on the invoice. The Director emails the invoice to the Judicial Accounting representative for payment of the invoice.

Payments shall be supported by sufficient documentation support the purpose and appropriateness of the purchase. The Payments of goods/services occurs after the goods/services are received. The Director and SCAO Budget Manager may approve payment of certain expenditures prior to receipt of goods/services (i.e. prepaid expenditures) in limited circumstances, taking into account the risk, vendor relationship and other factors.

TRAVEL

- a. Travel by Colorado OPG staff must be for the benefit of Colorado OPG
- b. Non-routine travel (e.g., attendance at conferences, out-of-state meetings) must be approved in advance by the Director
- c. Routine staff travel (e.g., travel to judicial districts, meetings with clients, meetings with judicial officers, court attendance and observations, Commission meetings, etc.) do not require supervisor approval
- d. Employees using personal funds for travel expenditures (i.e., not using a state credit card) may request reimbursement as follows:
 - ii. Employee must complete a reimbursement request form
 - iii. Reimbursement request form must be approved by the Director
 - iv. Receipts must accompany the reimbursement request form
 - v. Reimbursement requests must be submitted within 30 days of return from travel status and are paid in accordance with procedures stated herein, unless an exception is granted by SCAO
- e. Mileage reimbursement is made at the rate specified in 24-9-104, C.R.S..

- f. Reasonable parking expenses are allowable for non-routine travel
- g. Toll charges will be reimbursed when accompanied by an explanation of the circumstances surrounding the use of toll roads/lanes and approved by the Director
- h. Lodging will not be paid for any travel less than 100 miles unless pre-approved by the Director
- i. Lodging expenses must not exceed the amount for the destination city/county as determined by the [General Services Administration \(GSA\)](#), plus applicable taxes. For those destinations not specifically identified by GSA, lodging expenses must not exceed the CONUS rate determined by GSA
- j. Lodging rates may exceed the maximum amount stated above if:
 - vi. Lodging is procured at a prearranged place, such as a hotel where the meeting, conference or training session is held (approval for the higher lodging rate is not required)
 - vii. Costs have escalated because of special events and lodging within the prescribed allowances cannot be obtained nearby
 - viii. Other circumstances as approved by the Director
- k. Meals and incidental expenses (M&IE) will not be paid for any travel less than 20 miles unless pre-approved by the Director
- l. Meal expenses must not exceed the daily maximum M&IE established by GSA for the specific destination. Individual meals may exceed the meal maximum as long as the sum of all meal expenses do not exceed the daily maximum
- m. If a meal is provided (e.g., training, conference), the maximum daily M&IE shall be reduced by the amount for the specific meal provided per the GSA breakdown of meals and incidental expenses
- n. The Colorado OPG Commission Chair shall review and approve out of state travel by the Director and incurred related expenses

Policy 5.2. Client Financial Records

The Colorado Office of Public Guardianship (OPG) shall develop a written policy and practice to ensure that it operates within a system of internal controls that govern protection of client financial records. The Colorado OPG will not directly handle clients funds, but may be in possession of clients financial documents for review and benefit application and maintenance purposes. Client financial records will be handled as outlined in Policy 6.12.

Policy 5.3. Commission Involvement and Oversight

The State Court Administrator's Office (SCAO) Budget Manager shall provide monthly budget summaries to the Director. The Director shall provide monthly budget summaries for the Colorado Office of Public Guardianship (OPG) Commission to review to ensure monthly budget oversight.

The SCAO Budget Manager and Director shall prepare annual proposed fiscal year budgets. The Director shall provide the annual proposed fiscal year budgets for the Colorado Office of Public Guardianship (OPG) Commission to review to ensure its involvement in the annual budget development.

COLORADO OFFICE OF PUBLIC GUARDIANSHIP
POLICY 6: PROGRAM SERVICES STANDARDS

Policy 6. Program Services Standards

The Colorado Office of Public Guardianship's (OPG) design and operation shall follow the tenets of the National Guardianship Association (NGA) Ethical Principles and the NGA Standards of Practice to assure that these principles guide program design and day to day services. National Guardianship Association Standards of Practice for Agencies and Programs Providing Guardianship Services Standards; National Guardianship Association Ethical Principles; National Guardianship Association Standards of Practice.

Policy 6.1. Applicable Law and General Standards

- a. **The Office of Public Guardianship Act**, C.R.S. §§ 13-94-101 – 13-94-111 (2017, 2019).
<https://advance.lexis.com/api/permalink/5e186416-ff24-4eab-afa0-ac6ec0dd0943/?context=1000516>

Highlights:

- Provide guardianship services to indigent and incapacitated adults who reside in the 2nd Judicial District/Denver County:
 - (A) Have no responsible family members or friends who are available and appropriate to serve as guardian;
 - (B) Lack adequate resources to compensate a private guardian and pay the costs associated with an appointment proceeding;
 - (C) Are not subject to a petition for appointment of guardian filed by a county adult protective services unit or otherwise authorized by section § 26-3.1-104, C.R.S.
- Gather data to help the general assembly determine the need for, and the feasibility of, a statewide office of public guardianship;
- The office is a pilot program, to be evaluated and then continued, discontinued, or expanded at the discretion of the general assembly in 2021 [2023];
- Director Report due before or on January 1, 2023;

- Treat liberty and autonomy as paramount values for all state residents;
- Permit incapacitated adults to participate as fully as possible in all decisions that affect them; and
- Assist incapacitated adults to regain or develop their capacities to the maximum extent as possible.

b. Colorado Probate Statutes

1. Colorado Probate Code – General Provisions, Definitions, Jurisdiction, §§ 15-10-101, et. seq.
 - i. Probate Glossary. If a conflict exists between a term defined under the Colorado Probate Code and the National Guardianship Association, the Colorado Probate Code definition supercedes.
2. Colorado Probate Code – Persons Under Disability – Protections
 - i. General Provisions, C.R.S. §§ 15-14-101 – 15-14-122;
 - ii. Guardianship of Incapacitated Adults, C.R.S. §§ 15-14-301 – 15-14-319;
3. Colorado Probate Code – Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act, C.R.S. §§ 15-14.5-101, et seq.

c. Colorado Rules of Probate Procedure, Supreme Court Rules Chapter 27 (2017).

d. National Guardianship Association (NGA) Standards of Practice for Agencies and Programs Providing Guardianship Services. See Policy 2.1.

e. NGA Ethical Principles. See Policy 2.2.

f. NGA Standards of Practice. See Policy 2.3.

Policy 6.2. Eligibility and Prioritization

Eligibility criteria is established pursuant to § 13-94-102 (2)(l), C.R.S. (2017): Provide guardianship services to indigent and incapacitated adults who reside in the 2nd Judicial District/Denver County:

(A) Have no responsible family members or friends who are available and appropriate to serve as guardian;

(B) Lack adequate resources to compensate a private guardian and pay the costs associated with an appointment proceeding;

(C) Are not subject to a petition for appointment of guardian filed by a county adult protective services unit or otherwise authorized by section § 26-3.1-104, C.R.S.

Prioritization will be considered when accepting new cases as the number of cases in which services have been requested exceeds the number of cases in which public guardianship services can be provided. The Colorado Office of Public Guardianship (OPG) case acceptance priorities for an adult residing within the 2nd Judicial District and:

1. Individuals in need for immediate medical decision making, including individuals needing safe discharge/placement and must have been a Denver County/2nd Judicial District resident prior to institutionalization or hospitalization; or
2. At significant risk of harm from abuse, exploitation, abandonment, neglect or self-neglect; or
3. In imminent danger of losing or suffering a significant reduction in public services that are necessary to live successfully in the most integrated and least restrictive environment that is appropriate for a specific individual; or
4. Experiencing significant mental health issues creating a significant risk of harm from abuse, exploitation, abandonment, neglect or self-neglect; or
5. Homeless.

National Guardianship Association Standards of Practice for Agencies and Programs Providing Guardianship Services Standards I, II, V, and VI; National Guardianship Association Ethical Principles; National Guardianship Association Standards of Practice.

For the Colorado OPG purposes, a **homeless individual**, is defined as an individual who lacks a fixed, regular, and adequate nighttime residence, further meaning (*See 42 U.S. Code § 11302. General definition of homeless individual*):

- a. Has a primary nighttime residence that is a public or private place not meant for human habitation;

- b. Is living in a publicly or privately-operated shelter designated to provide temporary living arrangements; or
- c. Is exiting an institution where she has resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution and must have been a Denver County/2nd Judicial District resident prior to institutionalization or hospitalization.

Policy 6.3. Referral and Intake Process

Referrals and requests for a Public Guardian will be completed via an on-line process stated on the Colorado Office of Public Guardianship (OPG) website. It will be a secure and confidential process. For individuals that do not have access or the ability to complete a referral on-line, the Colorado OPG staff will assist those individuals by phone. National Guardianship Association Standards of Practice for Agencies and Programs Providing Guardianship Services Standards I, II, V, and VI; National Guardianship Association Ethical Principles; National Guardianship Association Standards of Practice.

A referring party may be an attorney, a social worker, or other party wishing to request a Public Guardian for a client or individual. As the Colorado OPG cannot file petitions as per statute, a referring party must have the legal resource to file a petition for guardianship.

- a. A referral will contain the following information. Information requested is necessary to ensure the Colorado OPG serves statutorily-mandated eligible individuals. Pursuant to C.R.S. 13-94-102 The Colorado OPG is to serve individuals that are:
 1. Adults (21 years of age or older);
 2. Indigent;
 3. Incapacitated; and
 4. Have no responsible family or friends appropriate or able to serve as guardian

Additional information requested is to assist the Colorado OPG Director with completing the Director Report and complying C.R.S. 13-94-105, C.R.S. 13-94-107.

Said information will be automatically populated into the Colorado OPG Case Management System from the online referral process:

- A. Demographic information of AIP
 - Name of Alleged Incapacitated Person (AIP)
 - Social Security Number of AIP or citizenship status of AIP
 - Address or homelessness of AIP
 - AIP county of residency (Denver only at this time)
 - Date of birth of AIP (must be 21 or older)
 - Race/Ethnicity

- Gender
- Veterans Status
- Confirmation of AIP 21 years of age or older
- Confirmation of no responsible family members or friends who are available and appropriate to serve as guardian of AIP
- Confirmation that AIP does not have funds to pay for guardianship services
- Confirmation of AIP not involved in any pending guardianship proceedings by adult protective services

B. Income and asset information of AIP

- All income sources of AIP – employment, SSA benefits, etc.
 - Ownership of real property and address and associated liabilities
 - Ownership of a vehicle and associated liabilities
 - Credit Cards and associated liabilities
 - Trust and associated documentation
 - ABLE account and associated documentation
- The basis of indigency follows C.R.S. § 13-16-103 and the Supreme Court of Colorado Chief Justice Directive (CJD) 98-01. The requested information follows Form JDF 205. The Income Eligibility Guideline are as established by the U.S. Department of Health and Human Services (See Federal Register 84 CFR 1167, 02/01/2019) and will be updated accordingly.
 - If the AIP's income is at or below the income eligibility guidelines and he or she has liquid assets of \$1,500.00 or less, as determined by the provided referral information, the AIP is indigent and eligible for public guardianship services.
 - If the AIP's income is up to 25% above the income eligibility guidelines and he or she has liquid assets of \$1,500.00 or less, and the monthly expenses equal or exceed the monthly income, as determined by the OPG Indigency Evaluation Form, the AIP is indigent and eligible for public guardianship services.
 - **Income** is gross income from all members of the household who contribute monetarily to the common support of the household. Income categories include wages, salary, commissions, profits, interest/investment earnings, social security benefits (including disability), Supplemental Security Income (SSI), maintenance (alimony), pension, workers' compensation, and unemployment benefits. NOTE: Income from roommates should not be considered if such income is not commingled in accounts or otherwise combined with the AIP's income in a fashion

which would allow the applicant proprietary rights to the roommate's income. Gross income does not include TANF payments, food stamps, subsidized housing assistance, veteran's benefits or child support.

- **Liquid assets** include cash on hand and in accounts, stocks, bonds, certificates of deposit, equity, and personal property or investments which could readily be converted into cash without jeopardizing the AIP's ability to maintain home or employment.
- **Expenses** for nonessential items such as cable television, club memberships, entertainment, dining out, alcohol, cigarettes, etc. shall not be included.

C. Incapacity information of AIP

- Primary Diagnosis
- Secondary Diagnosis
- Additional Diagnoses
- History of substance abuse
- Current corroborating evaluation and medical evidence regarding diagnosis and incapacity including specific description of how the diagnosis limit the AIP that deems them as incapacitated

D. Benefits information of AIP

- Name and contact information of caseworker
- Active or denied Food stamps
- Active or denied AABD
- Active or denied Medicaid
- Active or denied Medicare
- Social Security Administration (SSA) benefits and SSA Representative Payee contact information
- Veteran's Administration (VA) benefits and VA Fiduciary contact information

E. Family member or friend availability and appropriateness information

- Name and contact information of all known family members
- Specific steps taken to contact each family member and to assess appropriateness
- Name and contact information of known interested friends
- Steps taken to contact each interested friend and to assess appropriateness

F. Attachments

- Proposed Petition, if available
- Evaluations, capacity and medical documentation
- Financial documentation

G. AIP pending criminal or other civil proceedings

- Include case identification information and upcoming hearing, if applicable
- Criminal
- Divorce, child custody, child support
- Immigration

b. Incomplete Referrals

A referral will not be considered complete until all information is provided. The OPG will notify the referring party that the information was received and if it is considered complete or incomplete. The Colorado OPG may contact the referring party for clarifying information or if any information in the referral was marked as “unknown.”

An incomplete referral will be placed on an internal OPG register. The referring party has 30 days to complete the referral. At 30 days, the referral will automatically be closed and the Colorado OPG will not notify the referring party. A new referral will need to be completed if the party wishes to nominate the OPG.

c. Review of Referrals

If the Colorado OPG does not have caseload capacity, a complete referral will be reviewed and documented in the Colorado OPG Case Management System. The Case Management System will send the referring party a notification that the Colorado OPG does not have caseload capacity.

If the Colorado OPG has caseload capacity, a complete referral will initially be reviewed for acceptance by the Colorado OPG Director and Staff Assistant. The Staff Assistant may contact the referring party for clarifying information or if any information in the referral was marked as “unknown.” The Colorado OPG Director and Staff Assistant will then review the complete referral with the potentially assigned Public Guardian. The Staff Assistant will document the case acceptance or declination in the Case Management System. The Case Management System will send the referring party a notification of acceptance or declination.

d. Back up Review of Referrals

If the Colorado OPG Director is unavailable due to a significant reason such as vacation or medical leave, the Staff Assistant and all Public Guardians will follow the review of referrals as a team.

e. Case Acceptance

The OPG will respond in writing within 5 business days as to whether the referral will be accepted or not.

The OPG will provide an Acceptance of Appointment so that the referring party may formally nominate the OPG and file the Acceptance along with the nomination.

The OPG will provide a letter of declination to the referring party when the OPG does not accept a case.

f. Streamlined Referrals

A streamlined referral process will be available to allow referring parties to submit referrals for clients residing outside of Denver County/2nd Judicial District and when the Colorado OPG does not have caseload capacity to accept new cases. The streamlined process is available on-line and phone.

Policy 6.4 Emergency Referrals and Emergency Guardianship

The Colorado Office of Public Guardianship (OPG) will consider emergency referrals on a case-by-case basis and in consideration of Policy 6.6 Case Assignment and Weighting Procedure. The Colorado OPG serving as Emergency Guardian is generally disfavored and the use of Colorado OPG staff for this purpose should be reserved for extraordinary circumstances and when resources allow.

Policy 6.3 Referral and Intake Process will be used for emergency referrals. An emergency referral must meet the eligibility guidelines of Policy 6.2 Eligibility and Prioritization. Policy 6.6 Case Assignment and Weighting Procedure will apply to determining the availability of caseload capacity for acceptance of an emergency referral and for the Colorado OPG to serve as Emergency Guardian.

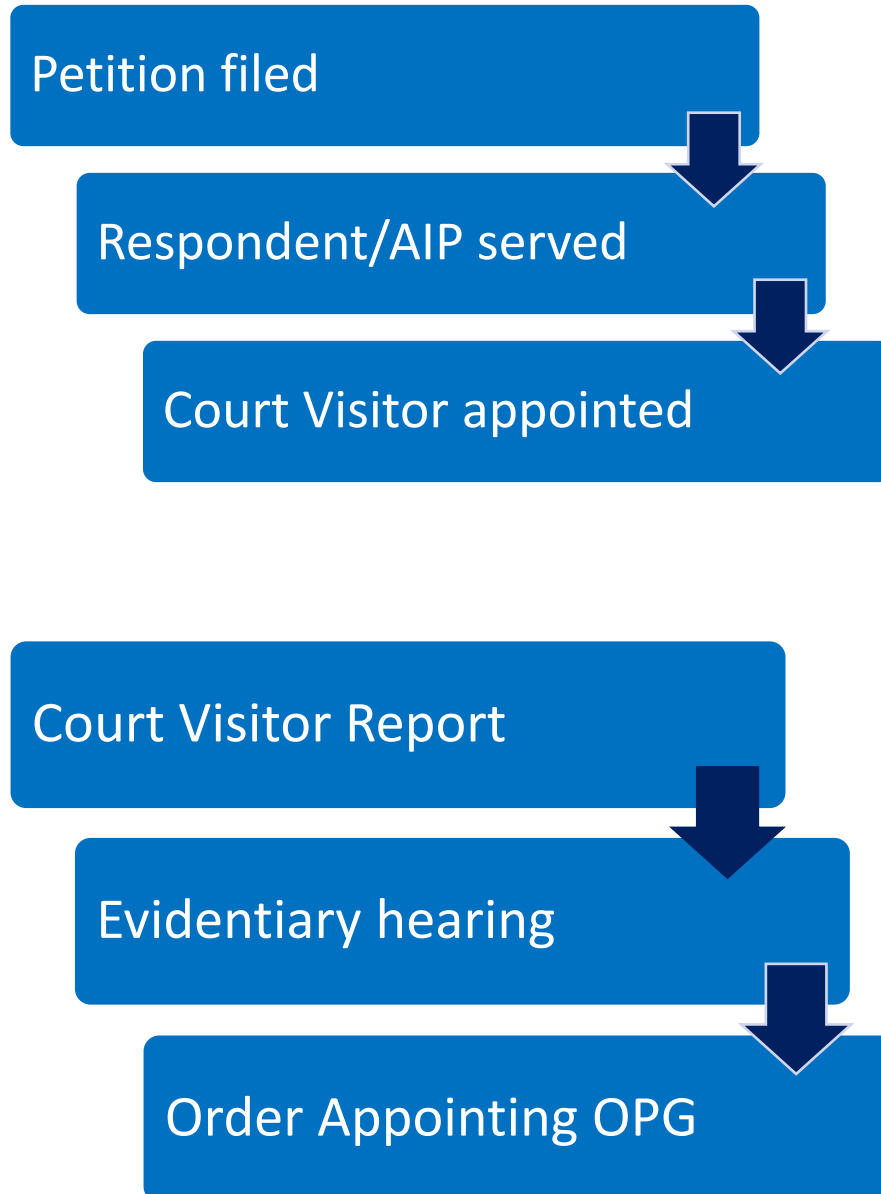
Prioritization for Emergency Referrals

The Colorado OPG will consider emergency referrals on a case-by-case basis.

- a. **Previously Accepted Referral.** The priority for accepting an emergency referral is that the Colorado OPG previously accepted the referral for nomination for a permanent guardianship, and
 1. The emergency referral meets the requirements defined in C.R.S. 15-14-312: if the court finds that compliance with the procedures of this part 3 will likely result in substantial harm to the respondent's health, safety, or welfare, and that no other person appears to have authority and willingness to act in the circumstances, the court, on petition by a person interested in the respondent's welfare, may appoint an emergency guardian whose authority may not exceed sixty days and who may exercise only the powers specified in the order.
 2. The emergency referral requires the immediate need for a medical decision-maker, and
 3. The emergency referral specifies the immediate need and that it involves a necessary medical procedure and/or medical decision, and
 4. The emergency referral specifies the steps taken to identify others to serve as emergency medical proxy or medical decision-maker.
- b. **Other Emergency Referrals.** The Colorado OPG will consider emergency referrals that have not been previously accepted for nomination for a permanent guardianship. These emergency referrals must meet a. 1-4. above for consideration.

The Colorado OPG will take appropriate actions and follow policies for ongoing case management (Policy 6.7. Ongoing Case Monitoring and Management) related to the identified emergency medical issue or as the Letters of Emergency Guardian allow.

POLICY 6.5. INITIAL COURT PROCESS AND FORMS



a. **Withdrawal of Acceptance**

If at any time prior to the court entering an Order Appointing the OPG as Guardian, should the OPG become aware that the AIP no longer meets eligibility criteria, the OPG will file a Withdrawal of Acceptance with the court.

b. **Court Process After Acceptance**

Once an Acceptance of Nomination is filed, The OPG is considered an Interested Party. The Staff Assistant will request a copy of the Court Visitor Report and all pleadings and documents will be secured and stored as per OPG Policy.

The designated Public Guardian will attend the evidentiary hearing. The Staff Assistant will request a certified copy of the Order of Appointment and the Letters of Guardianship, once available. Documents will be secured and stored as per OPG Policy.

c. Court Process After Appointment

- i. The designated Public Guardian will begin the process outlined in Policy 6.6. Individualized Guardianship Plans.
- ii. The Staff Assistant will prepare a second Acceptance of Appointment form which specifies the designated Public Guardian and file it with the court.
- iii. The Staff Assistant will prepare an Appointment of Designee form and file it with the court. If at any time there is a change in the designated Public Guardian, the Staff Assistant will prepare a Report of Change of Guardian Designee form and file it with the court.
- iv. Objection: If the Colorado OPG needs to object to another legal party's motion, petition, etc., the Director will prepare the Objection. The Staff Assistant will file the Objection with the court.
- v. General Motion: If the Colorado OPG needs to file a motion or request court intervention, the Director will prepare the Motion. The Staff Assistant will file the Motion with the court.
- vi. Petition for Modification of Guardianship: If the Colorado OPG needs to modify the guardianship, the Director will prepare the Petition. The Staff Assistant will file the Petition with the court.
- vii. Petition for Termination of Guardianship: If the Colorado OPG needs to terminate the guardianship, the Director will prepare the Petition. The Staff Assistant will file the Petition with the court.

- **The Public Guardian shall notify the Court immediately upon the death of a ward and/or a change in residency. A ward may not be moved from Colorado without prior court approval.**

d. List of Court Forms applicable to guardianships and Colorado OPG processes

- Rights of Respondent
- Notice of Hearing
- Court Visitor Report
- Acknowledgement of Responsibilities
- Notice of Appointment
- Acceptance of Office
- Order Appointing Guardian
- Letters of Guardianship
- Initial Guardian's Report
- Annual Guardian's Report
- Change of Address
- Notice of Death
- General Motion
- Objection
- Petition for Modification of Guardianship
- Petition for Termination of Guardianship

- If a reasonable accommodation is needed to access the courts, please contact the local ADA Coordinator. Contact information can be obtained from the following website:

http://www.courts.state.co.us/Administration/HR/ADA/Coordinator_List.cfm

- The 2nd Judicial District – Probate Court Coordinator is Melissa Barnes at melissa.barnes@judicial.state.co.us

Policy 6.6. Case Assignment and Weighting Procedure

- a. The amount of work and involvement in the life of a person under guardianship differs depending on the type of service provided and the personal goals, needs and preferences of the individual. Factors such as geography, the type of case required, whether the person lives in a group setting, or in the community independently, all affect the difficulty

of the caseload. National Guardianship Association Standards of Practice for Agencies and Programs Providing Guardianship Services Standards I - III, V, and VI; National Guardianship Association Ethical Principles; National Guardianship Association Standards of Practice 1 – 5, 10, 12 – 13, 23, and 24.

- b. Multiple, complex medical conditions may require more time from the individual Public Guardian advocating for an individual than for someone whose health is stable. The time required in money management services can be extensive, if bookkeeping and clerical functions are also included. One key to the dilemma of case overload is to identify duties that can be delegated to well-trained support staff. A pool of volunteers may be used to provide support services for stable, uncomplicated cases. However, the case assignment system is designed, it is critically important that the Colorado OPG identify the best use of the time of its employees and provide enough support to assure that the individual under guardianship is regularly visited and has access to the most appropriate support and advocacy when it is needed.

- c. Documents and information to assist in determining case assignment, case weighting, and caseload capacity:
 - 1. Referral information;
 - 2. Court Visitor Report and/or Guardian ad Litem Report;
 - 3. Collateral information and documentation; and
 - 4. The ongoing assessment documentation, including the Individualized Guardianship Plan (IGP), within the Case Management System (CMS).

- d. Court Visitor Report. The Court Visitor Report will be analyzed in the weighting process. The more documentation regarding issues of concern will likely result in a heavier “weight” to the case. As such, the Colorado OPG will consider this weight to determine whether the Public Guardian has capacity to accept the case at that time. This will be in relation to the other cases currently on the Public Guardian’s caseload.

- e. Ongoing Assessment. Similar to the initial Court Visitor Report, the Public Guardian will continue to monitor imminent risk and safety concerns within the CMS on cases to which he or she is already assigned. Information will be recorded and tracked within the CMS track progress made on such cases and to be aware of when such concerns are either heightened or lessened. If the Public Guardian has a caseload with several heightened cases, these cases will be given greater “weight” which may impact the current capacity for the Public Guardian to accept more cases at that time. If there is a mix of cases, the “weight” of the incoming case will be considered to determine if there is current capacity.

If there are mostly cases where there are little to no imminent safety concerns, it is likely the pending cases will be accepted.

- f. The weighting of cases will be flexible and structured to allow for fairness of caseloads and for data-gathering purposes. A head count of case files is not usually a good indication of the actual work involved (adapted from Social Care Institute for Excellence, Managing Practice, <https://www.scie.org.uk/publications/guides/guide01/managing-work/caseload.asp>).
- g. Three categories of Public Guardian work input will be considered:
 - a. **Complexity:** this includes the number of other professionals involved with the Public Guardian and client. It recognizes the Public Guardian's role in identifying and collaborating with professional networks, stakeholders and helping a client to make decisions about the client's care, goals, and maintenance.
 - b. **Risk:** this considers the professional judgment required of the Public Guardian: decisions are to be made based on risk and safety assessment (IGP); the client's situation may be a fast changing one; the work may be at a stage where professional anxiety is heightened because of lack of information or experience.
 - c. **Travel:** this considers the whether the Public Guardian has to travel appreciable distances to undertake the work with a particular client.
- h. Caseload definitions and weighting:
 - a. **Complexity**
 - i. **Tier 1 – Low Complexity:** Contact with other agencies and stakeholders is minimal, unproblematic or standard.
 - ii. **Tier 2 – Medium Complexity:** Contact with other agencies and stakeholders is changeable, requires initiation and/or ongoing maintenance.
 - iii. **Tier 3 – High Complexity:** Multiple or complex contact with other agencies and stakeholders requiring careful negotiation, advocacy, plan development or other high input.
 - b. **Risk:**
 - i. **Tier 1 – Low Risk:** No current risk involved, risk and safety assessment (IGP) is known and understood by all parties, including contingency plans negotiated.

- ii. **Tier 2 – Medium Risk:** Risk and safety assessment (IGP) in process with options for action and decisions ready to be put into place.
- iii. **Tier 3 – High Risk:** Current risk and safety are not assessed or a change in circumstances requires a new risk and safety assessment (IGP).

c. **Travel:**

- i. **Tier 1 – Low Travel:** No travel outside of Denver County/2nd Judicial District on a monthly basis.
- ii. **Tier 2 – Medium Travel:** Travel outside of Denver County/2nd Judicial District on more than a monthly basis. Unexpected travel outside of Denver County/ 2nd Judicial District more than 3 times a year.
- iii. **Tier 3 – High Travel:** Travel outside of Denver County/2nd Judicial District on more than a monthly basis. Unexpected travel outside of Denver County/ 2nd Judicial District more than 6 times a year.
- iv. Tiers will change if the Colorado Office of Public Guardianship is expanded outside of the Denver County/2nd Judicial District.

d. **Caseload weighting**

- i. **Low Weight:** Combined Tier scores of 3
 - ii. **Medium Weight:** Combined Tier scores between 4-6
 - iii. **High Weight:** Combined Tier scores between 7-10
- i. The weighting of cases is designed to be flexible. The Colorado OPG acknowledges that cases will likely change over time and this will impact the “weight” of the case. As such, the ongoing assessment capability, will assist in determining capacity from time-to-time as new cases are presented for potential acceptance. Further, the Colorado OPG acknowledges that all cases and persons served must be considered individually in order to truly determine the capacity of the Public Guardian at any given time.

COLORADO OFFICE OF PUBLIC GUARDIANSHIP
POLICY 7: COVID-19 SERVICES STANDARDS
AND WORK PLAN

The Colorado Office of Public Guardianship’s (OPG) risk assessment and public health management of clients with potential COVID-19 infection or vulnerability to infection will follow guidelines set forth by The Centers of Disease Control and Prevention (CDC). The CDC’s COVID-19 guidelines are intended to address recommended infection prevention and control practices in residential and healthcare settings.

1. When the guardian is working with a client who is experiencing symptoms of COVID-19 infection (e.g., fever, cough, and shortness of breath), the guardian will:
 - a. Make every effort to interview the client by telephone, text, or video conference.
 - b. If the guardian must interview a client in their home, the guardian will wear CDC recommended, such as, personal protective equipment (PPE), including a gown, gloves, eye protection, and respiratory protection that is at least protective as a NIOSH-approved N95 filtering facepiece respirator.
 - c. The guardian will observe hand hygiene before putting on and after removing PPE, which will include using alcohol-based hand sanitizer that contains 60 to 95% alcohol.
 - d. The guardian will put on PPE outside of the home/facility prior to entry into the home/facility.
 - i. If the guardian is unable to put on all PPE outside of the home/facility, it is preferred that face protection (i.e., respirator and eye protection) be put on before entering the home/facility. The guardian will alert persons within the home/facility that the guardian will be entering the home/facility and will ask the person to move to a different room, if possible, or keep a 6-foot distance in the same room. Once the entry area is clear, the guardian will enter the home/facility and put on a gown and gloves.
 - e. The guardian shall dispose of PPE in a trash can that is outside of the home/facility. PPE should not be taken into the guardian’s personal vehicle.

2. When the guardian is assessing clients without symptoms of COVID-19 infection, the guardian will:

- a. Continue to follow CDC guidelines for working with vulnerable populations to reduce the possibility of spreading the virus. The guardian will make every effort to interview asymptomatic clients by telephone, text, or video conference.
- b. If an in-person interview with a client must be conducted, the guardian shall stay at least 6 feet away from the client and ask the client if they have had a fever or respiratory symptoms. If the interview and assessment are occurring in the home/facility environment, the guardian should not enter the home/facility until the client has been asked and the person has been determined to not have COVID-19 infection.
- c. The guardian will observe hand hygiene before, during, and after the in-person interview, which will include using alcohol-based hand sanitizer that contains 60 to 95% alcohol.

3. The guardian will make every effort to assess clients to determine if emergency medical attention is required.

- a. The guardian will be mindful that the symptoms of COVID-19 infection that requires medical attention. Noting that the guardian will adhere to using preventive measures, as indicated by the CDC, to prevent the spread of COVID-19. Signs and symptoms to look for while assessing the client: fever, shortness of breath, persistent pain or pressure in the chest, new confusion or inability to arouse, and bluish lips or face.

4. In case planning, the guardian shall be mindful that older adults and people who have severe underlying chronic medical conditions like heart and lung disease or diabetes are at a higher risk for developing more serious complications from COVID-19 illness, and thusly require that the guardian observe more stringent precautionary measures to lessen the likelihood of the client being exposed to the COVID-19 virus.

5. The Public Guardian will adhere to this policy only if the Public Guardian has been assessed for COVID-19. If the Public Guardian has been in contact or near an individual diagnosed with COVID-19, or suspected of having COVID-19, the Public Guardian will be assessed for COVID-19, self-quarantine for 14 days, and not be allowed to conduct any in-person client visits for a period of 14 days. The Public Guardian will be responsible for ensuring that reasonable steps are taken to complete the required monthly client visit.

6. During self-quarantine, the Public Guardian shall continue to work remotely. If the Public Guardian's health is such that Paid Time Off (PTO) must be utilized, the Public Guardian shall ensure coverage of schedule, calls, meetings, etc.

7. If the Director has been in contact or near an individual diagnosed with COVID-19, or suspected of having COVID-19, the Director will be assessed for COVID-19, self-quarantine for 14 days, and not be allowed to conduct any in-person meetings for a period of 14 days. During self-quarantine, the Director shall continue to work remotely. If the Director's health is such that Paid Time Off (PTO) must be utilized, the Director shall ensure coverage of schedule, calls, meetings, etc. For emergency situations, the Public Guardians and Staff Assistant will hold a group conference to identify immediate needs and issues and then conference with the Commission Chair for direction.

8. This policy is a fluid document and will be updated frequently to be in line with CDC recommendations, as well as local and state recommendations.