

**OPG Commission meeting
Director Report
09.28.2022**

Purpose: The Director Report will provide 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. Commissioners are encouraged to reach out to the Director directly for any questions in between meetings.

Attachments for the 09.28.2022 meeting:

- Attachment 1: SCAO/Judicial provided a FY 2022 Final Budget Summary as of 09.20.2022
- Attachment 2: CRS §27-65-111(6)
- Attachment 3: 2022 NGA Conference Information

I. Budget and Administrative Update.

- a. I previously provided the monthly budget reports for February that are provided to me from Hugh Wilson, Judicial Budget Manager. **See Attachment 1.**
- b. Client Visit Verification System – in progress. System is a site verification system (not an ongoing cell phone tracking system) that is linked to the existing Case Management System.
- c. We are in process of calling references to make offers this week.
 - i. Public Guardian – 2nd Judicial District
 - ii. Public Guardian – 2nd Judicial District/Colorado Mental Health Institute
 - iii. Public Guardian – 7th Judicial District
 - iv. Public Guardian – 16th Judicial District
 - v. Case Management Aid – 2nd Judicial District

- d. With the assistance of Hugh Wilson and the Attorney General’s Office, I am considering an Interim Language Fluency Pay Differential Policy for staff. The policy will apply to staff that are demonstrably fluent in a second language who effectively communicate with their assigned and/or assist other COPG staff with interpreter/translation needs with COPG clients. The COPG also provides Language Line services to public guardians to communicate with our clients.
 - i. The Judicial Office of Language Access provides an Oral Proficiency Interview at no cost to Judicial employees.
- e. With the assistance of the Attorney General’s Office, we are considering filing Motions to Intervene in Mental Health proceedings under CRS §27-65-111(6). The COPG will be noticed to these proceedings and may present evidence (see **Attachment 2**).
- f. The Honorable Elizabeth D. Leith of the Denver Probate Court approached me about the 2nd Judicial District Court submitting a proposal for funding of a COPG Public Guardian for the Criminal REACH Docket. Please see Agenda item VIII, the Honorable Elizabeth D. Leith will provide more information.
- g. The Chair approved my attendance to the 2022 NGA Conference and Legislative and Legal Review held in Dallas, Texas on Oct 21 – Oct 25, 2022 (see **Attachment 3**).

II. **Stakeholder Engagement Plan – In progress.**

III. **Colorado OPG Pilot Program Operating Policies Updates – No updates.** Please note that Operating Polices are available on the OPG website: <https://colorado-opg.org/opg-in-depth/>

- a. **OPG Email Policy – Completed.** To be posted on OPG website.
- b. **Policy 5. Colorado OPG Fiscal Policy – Client Emergency Fund – In Progress.** Will be considered with Final Report.
- c. Reviewing and updating protocols as part of the Spring meetings to assess the procedures, caseloads, etc. of the office.
- d. **Trainings and Projects – Ongoing.** A list will be provided quarterly.
- e. **Intake Eligibility, Prioritization and Referral Process.**
 - i. Update on number of registered users, referrals, accepted cases, etc. as of **09.26.2022.**
 - 1. 83 Active guardianships
 - 2. 3 referrals pending in court proceedings (accepted 2 Hold referrals)
 - 3. 11 Partial referrals
 - 4. 17 clients passed away since CO OPG appointment
 - 5. 18 Hold status for 6 months (now includes OBH/CHMI-Ft. Logan/Pueblo referrals that are non-OBH/Momentum contract referrals)
 - 6. OBH/Momentum dedicated caseload:
 - 1. 8 Active guardianships
 - 2. 4 referrals pending in court proceedings
 - 7. 33 Declined referrals
 - 1. 26 Denver declined referrals
 - a. 5 - Family available to serve
 - b. 16 - Expired/Incomplete information
 - c. 1 – Not appropriate referral
 - d. 1 - Not adult

- e. 1 - Withdrawn by Ft. Logan
 - f. 4 - No OPG Capacity
- 2. Not incapacitated – 2
- 3. Texas referral - 1
- 4. Nebraska referral - 1
- 5. Alaska referral – 2

- 8. 81 streamlined referrals (Non-Denver County) – Declined
 - 1. Adams County – 4
 - 2. Alamosa County - 1
 - 3. Arapahoe County – 12
 - 4. Boulder County – 4
 - 5. Broomfield County - 1
 - 6. “Denver County” - 2
 - 7. El Paso County – 17
 - 8. Garfield County – 1
 - 9. Gunnison County – 1
 - 10. Huerfano County - 3
 - 11. Jefferson County – 9
 - 12. Lake County - 1
 - 13. La Plata County – 2
 - 14. Larimer County - 4
 - 15. Las Animas County - 2
 - 16. Mesa County – 1
 - 17. Montrose County – 2
 - 18. Otero County – 3
 - 19. Pueblo County - 3
 - 20. Washington County - 1
 - 21. Weld County – 7

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

V. **Stakeholder Outreach – Ongoing.** A list can be provided if requested.

- a. 09.14.2022: I was interviewed by Tom Scherberger, a Florida journalist that writes the monthly National Guardianship Association Newsletters. We discussed public guardianship, the COPG legislative history, current COPG status, 2022 survey results, preliminary focus group themes, goals for the COPG, my experience with the Nebraska Office of Public Guardian, and his struggles with locating data about public guardian programs across the US. He will provide me with a draft of the article to preview and edit. He expects the article will be out in November or December 2022.

VI. **Data gathering and Final Report - In progress.** The goal is to have a final draft in October.

Attachment 1. FY23 Initial OPG Budget Summary as of 09.20.2022

OPG Personal Services and Operating Summary - FY 2023

Budget Type	Budget	YTD + Projected Exp	Surplus / (Deficit)	YTD
Personal Services	\$1,360,000	\$ 1,046,966	\$313,034	
Operating	\$360,586	\$ 115,603	\$244,983	Balance remaining for operating
Total Appropriation	\$1,720,586	\$1,162,569	\$558,017	Total remaining in program line

Cash Fund Balance		
	PRIOR YEAR (FY 2022)	Projected Revenue less YTD Expenses
Total Revenue	\$1,220,753	\$1,220,753
Total Expenditures	\$780,395	\$1,162,569
Net Change	\$440,358	\$58,184
Beg Fund Balance	\$1,294,174	\$1,734,532
= Fund Balance	\$1,734,532	\$1,792,716

Salaries	Pos. #	Current Salaries	Actuals		Projections											
			July	August	September	October	November	December	January	February	March	April	May	June		
Director	87001	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167	\$ 10,167	
Staff Assistant	87002	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718	\$ 4,718	
Public Guardian	87003	\$ 5,305	\$ 5,305	\$ 5,305	\$ 5,305	\$ 5,305	\$ 5,305	\$ 5,305	\$ 5,305	\$ 5,305	\$ 5,305	\$ 5,305	\$ 5,305	\$ 5,305	\$ 5,305	
Public Guardian	87004	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	
Public Guardian	87005	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	
Public Guardian	87006	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	\$ 5,128	
Public Guardian	87007	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	\$ 5,150	
Deputy Director	87008	\$ 8,833	\$ 7,992	\$ 8,833	\$ 8,833	\$ 8,833	\$ 8,833	\$ 8,833	\$ 8,833	\$ 8,833	\$ 8,833	\$ 8,833	\$ 8,833	\$ 8,833	\$ 8,833	
Vacant, Public Guardian	87XXX	\$ 4,888	\$ -	\$ -	\$ -	\$ -	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	
Vacant, Public Guardian	87XXX	\$ 4,888	\$ -	\$ -	\$ -	\$ -	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	
Vacant, Public Guardian	87XXX	\$ 4,888	\$ -	\$ -	\$ -	\$ -	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	
Vacant, Public Guardian	87XXX	\$ 4,888	\$ -	\$ -	\$ -	\$ -	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	
Vacant, Public Guardian	87XXX	\$ 4,888	\$ -	\$ -	\$ -	\$ -	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	
Vacant, Public Guardian	87XXX	\$ 4,888	\$ -	\$ -	\$ -	\$ -	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	\$ 4,888	
Vacant, Case Management Aide	87XXX	\$ 4,092	\$ -	\$ -	\$ -	\$ -	\$ 4,092	\$ 4,092	\$ 4,092	\$ 4,092	\$ 4,092	\$ 4,092	\$ 4,092	\$ 4,092	\$ 4,092	
Total Salaries			\$ 48,714	\$ 49,556	\$ 49,556	\$ 49,556	\$ 78,088	\$ 78,088	\$ 78,088	\$ 78,088	\$ 78,088	\$ 78,088	\$ 78,088	\$ 78,088	\$ 78,088	
Employee Benefits			\$ 16,878	\$ 18,910	\$ 18,910	\$ 18,910	\$ 18,910	\$ 18,910	\$ 18,910	\$ 18,910	\$ 18,910	\$ 18,910	\$ 18,910	\$ 18,910	\$ 18,910	
Total Personal Services			\$ 65,592	\$ 68,465	\$ 68,465	\$ 68,465	\$ 96,997	\$ 96,997	\$ 96,997	\$ 96,997	\$ 96,997	\$ 96,997	\$ 96,997	\$ 96,997	\$ 96,997	

	Actuals	Projections												
		July	August	September	October	November	December	January	February	March	April	May	June	
1920 -Other Professional Services	\$ 6,872	\$ (4,685)	\$ 315											\$ 2,502
1935 - Attorneys	\$ 202	\$ 342												\$ 544
1940 -Medical Services														\$ -
1950 -Professional Services from Other Colorado Departments														\$ -
1960 -Professional IT Services	\$ 890	\$ 4,923	\$ 2,474											\$ 8,286
2250 -Miscellaneous Rentals														\$ -
2255 -Rental of Meeting Rooms & Leased Space	\$ 2,000		\$ 3,614											\$ 5,614
2510 -General Travel (Employee)		\$ 162												\$ 162
2511 -Common Carrier Fares														\$ -
2512 -Meals (Employee)			\$ 58											\$ 58
2513 -Mileage Reimbursement (Employee)	\$ 928	\$ 164	\$ 1,079											\$ 2,171
2530 -General Travel														\$ -
2531 -Common Carrier Fares														\$ -
2631 -Communication Services from Outside Sources		\$ 574												\$ 574
2680 -Printing & Reproduction Services - Vendors														\$ -
3113 -Clothing & Uniforms														\$ -
3118 -Food & Food Services Supplies		\$ 583												\$ 583
2820 -Monitoring Services		\$ 5,119												\$ 5,119
3110 -Identification & Safety Supplies	\$ 3		\$ 44											\$ 47
3120 -Books / Periodicals / Subscriptions														\$ -
3121 -Case Jackets		\$ 344												\$ 344
3123 -Postage	\$ 6	\$ -												\$ 6
3140 -Noncapitalized IT Software		\$ 198	\$ 1,231											\$ 1,429
3145 -Noncapitalized IT Purchases														\$ -
4140 -Dues & Memberships														\$ -
4170 -Miscellaneous Fees & Fines		\$ 150												\$ 150
4220 -Registration Fees		\$ 15												\$ 15
4256 -Other Employee Benefits - Eco Pass														\$ -
Total		\$ 10,901	\$ 7,888	\$ 8,814	\$ 11,000	\$ 11,000	\$ 11,000	\$ 11,000	\$ 11,000	\$ 11,000	\$ 11,000	\$ 11,000	\$ 11,000	\$ 115,603
Total - YTD + Projections Program Line			\$ 76,493	\$ 76,353	\$ 77,279	\$ 79,465	\$ 107,997	\$ 107,997	\$ 107,997	\$ 107,997	\$ 107,997	\$ 107,997	\$ 107,997	\$ 1,162,569
													Over/(under) Program Line	\$558,017

C.R.S. 27-65-111

Copy Citation

Statutes current through Chapter 290 of the 2022 Regular Session and effective on or before June 3, 2022. The inclusion of the 2022 legislation is not final. It will be final later in 2022 after reconciliation with the official statutes, produced by the Colorado Office of Legislative Legal Services.

Colorado Revised Statutes Annotated **Title 27. Behavioral Health (§§ 27-1-101 – 27-94-107)** **Mental Health and Mental Health Disorders (Arts. 65 – 71)** **Article 65. Care and Treatment of Persons with Mental Health Disorders (§§ 27-65-101 – 27-65-131)**

27-65-111. Hearing procedures - jurisdiction.

- (1)** Hearings before the court pursuant to section 27-65-107, 27-65-108, or 27-65-109 are conducted in the same manner as other civil proceedings before the court. The burden of proof is on the person or facility seeking to detain the respondent. The court or jury shall determine that the respondent is in need of care and treatment only if the court or jury finds by clear and convincing evidence that the person has a mental health disorder and, as a result of the mental health disorder, is a danger to others or to himself or herself or is gravely disabled.
- (2)** The court, after consultation with respondent's counsel to obtain counsel's recommendations, may appoint a professional person to examine the respondent for whom short-term treatment or long-term care and treatment is sought and to testify at the hearing before the court as to the results of his or her examination. The court-appointed professional person shall act solely in an advisory capacity, and no presumption shall attach to his or her findings.
- (3)** Every respondent subject to an order for short-term treatment or long-term care and treatment shall be advised of his or her right to appeal the order by the court at the conclusion of any hearing as a result of which such an order may be entered.
- (4)** The court in which the petition is filed under section 27-65-106 or the certification is filed under section 27-65-107 shall be the court of original jurisdiction and of continuing jurisdiction for any further proceedings under this article. When the convenience of the parties and the ends of justice would be promoted by a change in the court having jurisdiction, the court may order a transfer of the proceeding to another county. Until further order of the transferee court, if any, it shall be the court of continuing jurisdiction.
- (5)**
 - (a)** In the event that a respondent or a person found not guilty by reason of impaired mental condition pursuant to section 16-8-103.5 (5), C.R.S., or by reason of insanity pursuant to section 16-8-105 (4) or 16-8-105.5, C.R.S., refuses to accept medication, the court having jurisdiction of the action pursuant to subsection (4) of this section, the

court committing the person or defendant to the custody of the department pursuant to section 16-8-103.5 (5), 16-8-105 (4), or 16-8-105.5, C.R.S., or the court of the jurisdiction in which the designated facility treating the

respondent or person is located shall have jurisdiction and venue to accept a petition by a treating physician and to enter an order requiring that the respondent or person accept such treatment or, in the alternative, that the medication be forcibly administered to him or her. The court of the jurisdiction in which the designated facility is located shall not exercise its jurisdiction without the permission of the court that committed the person to the custody of the department. Upon the filing of such a petition, the court shall appoint an attorney, if one has not been appointed, to represent the respondent or person and hear the matter within ten days.

(b) In any case brought under paragraph (a) of this subsection (5) in a court for the county in which the treating facility is located, the county where the proceeding was initiated pursuant to subsection (4) of this section or the court committing the person to the custody of the department pursuant to section 16-8-103.5 (5), 16-8-105 (4), or 16-8-105.5, C.R.S., shall either reimburse the county in which the proceeding pursuant to this subsection (5) was filed and in which the proceeding was held for the reasonable costs incurred in conducting the proceeding or conduct the proceeding itself using its own personnel and resources, including its own district or county attorney, as the case may be.

(c) In the case of a defendant who is found incompetent to proceed pursuant to section 16-8.5-103, C.R.S., and who refuses to accept medication, the jurisdiction for the petition for involuntary treatment procedures shall be as set forth in section 16-8.5-112, C.R.S.

(6) All proceedings under this article, including proceedings to impose a legal disability pursuant to section 27-65-127, shall be conducted by the district attorney of the county where the proceeding is held or by a qualified attorney acting for the district attorney appointed by the district court for that purpose; except that, in any county or in any city and county having a population exceeding fifty thousand persons, the proceedings shall be conducted by the county attorney or by a qualified attorney acting for the county attorney appointed by the district court. In any case in which there has been a change of venue to a county other than the county of residence of the respondent or the county in which the certification proceeding was commenced, the county from which the proceeding was transferred shall either reimburse the county to which the proceeding was transferred and in which the proceeding was held for the reasonable costs incurred in conducting the proceeding or conduct the proceeding itself using its own personnel and resources, including its own district or county attorney, as the case may be. Upon request of a guardian appointed pursuant to article 14 of title 15, C.R.S., the guardian may intervene in any proceeding under this article concerning his or her ward and, through counsel, may present evidence and represent to the court the views of the guardian concerning the appropriate disposition of the case.

History

Source: L. 2010:Entire article added with relocations,(SB 10-175), ch. 188, p. 690, § 2, effective April 29. **L. 2017:** (1) amended,(SB 17-242), ch. 263, p. 1345, § 239, effective May 25.

Research References & Practice Aids

Hierarchy Notes:

C.R.S. Title 27, Art. 65

State Notes

Notes

Editor's note:

This section is similar to former § 27-10-111 as it existed prior to 2010.

ANNOTATION

Law reviews.

For article, "Commitment Procedures in Colorado", see 29 Dicta 273 (1952). For article, "New Legislation Concerning the Mentally Disabled", see 11 Colo. Law. 2131 (1982). For article, "Respect for the Values and Preferences of Mental Patients: The Medina Trilogy", see 11 Colo. Law. 3014 (1982). For article, "The Clinton Mental Health Case -- A Civil Procedure Lesson", see 19 Colo. Law. 1809 (1990).

Annotator's note.

Since § **27-65-111** is similar to § 27-10-111 as it existed prior to the 2010 amendments to this article, relevant cases construing that provision have been included in the annotations to this section.

Involuntary commitment to mental hospital is deprivation of liberty

which the state cannot accomplish without procedural safeguards. *People v. Taylor*, 618 P.2d 1127 (Colo. 1980).

Privilege against self-incrimination inapplicable to civil commitment proceedings.

Due process does not require that the fifth amendment privilege against self-incrimination be extended to Colorado's civil commitment proceedings. *People v. Taylor*, 618 P.2d 1127 (Colo. 1980).

Former §§ 27-10-111 (1) and 27-10-107 (3), read together, clearly and unambiguously grant a right to a jury hearing

to a person being certified for short-term treatment. *People in Interest of Hoylman*, 865 P.2d 918 (Colo. App. 1993).

The term "danger" in subsection (1) does not offend due process

as long as the state proves by clear and convincing evidence that there is a reasonable basis to believe that the individual's mental illness results in a present danger to herself or others or renders her gravely disabled. *People v. Stevens*, 761 P. 2d 768 (Colo. 1988).

Standard of proof meets minimum standards of procedural due process.

Less restrictive alternatives need not be considered as a condition precedent to certification.

Civil commitment constitutes a severe infringement of liberty requiring due process protection. However, the statutory scheme set forth in this article contains a number of procedural safeguards that greatly reduce the inherent risk of erroneous deprivation. Therefore, due process does not require a mandatory hearing at the time of certification since the statute provides for a hearing on request. People v. Stevens, 761 P.2d 768 (Colo. 1988).

“Clear and convincing evidence”,

required by subsection (1), is evidence which is stronger than a preponderance of the evidence, and which is unmistakable and free from serious or substantial doubt. People v. Lane, 196 Colo. 42, 581 P.2d 719 (1978).

Where three medical experts testified at the certification hearing that appellant was potentially dangerous to herself or to others, there was clear and convincing evidence that there was a reasonable basis to believe that appellant’s mental illness resulted in a present danger to herself or others, thereby satisfying the prerequisite conditions for short-term certification pursuant to former § 27-10-107. People v. Stevens, 761 P.2d 768 (Colo. 1988).

The need for electroconvulsive therapy for a person involuntarily committed

must be established by clear and convincing evidence. People in Interest of M.K.M., 765 P.2d 1075 (Colo. App. 1988).

If it is shown that person is mentally ill, short-term involuntary commitment cannot be justified unless

it is shown that, as a result of such illness, the person is: (1) a danger to others; (2) a danger to himself; (3) “gravely disabled” because of an inability to take care of basic personal needs; or (4) “gravely disabled” because the person is “making irrational or grossly irresponsible decisions concerning his person and lacks the capacity to understand this is so”. People v. Taylor, 618 P.2d 1127 (Colo. 1980).

Mere disability alone is insufficient to warrant involuntary commitment.

Mere disability alone, even if found in conjunction with mental illness, is not enough to warrant involuntary commitment. People v. Taylor, 618 P.2d 1127 (Colo. 1980).

Dangerousness to others may be shown by evidence of injurious acts,

attempts, or threats. People v. Taylor, 618 P.2d 1127 (Colo. 1980).

Dangerousness to oneself may be shown by similar evidence,

where the individual’s injurious behavior is directed toward himself. People v. Taylor, 618 P.2d 1127 (Colo. 1980).

Passive injury to oneself,

because of an inability to take care of one’s most basic personal needs, may be as dangerous or damaging to the individual as the active threat posed by suicide. People v. Taylor, 618 P.2d 1127 (Colo. 1980).

Former § 27-10-107 requires that a causal nexus be established

between a person’s mental illness and the condition of being a danger to others or to himself or gravely disabled. People v. Taylor, 618 P.2d 1127 (Colo. 1980).

Uncorroborated psychiatric opinion sufficient.

In some cases, a psychiatric opinion, not corroborated by evidence of recent dangerous conduct, may constitute “clear and convincing evidence” of dangerousness, and therefore may be sufficient to sustain a commitment based on dangerousness. People v. Lane, 196 Colo. 42, 581 P.2d 719 (1978).

Right of indigent appellant to transcript at state expense.

An indigent appellant in a mental health proceeding for involuntary confinement and treatment has a right under the due process guarantees of the United States and Colorado constitutions to a transcript at state expense. Goodenow v. State Dept. of Insts., 198 Colo. 407, 603 P.2d 122 (1979).

Stringent release standards reasonably related to public safety.

The more stringent standards of release applicable to the criminally committed defendant reflect the increased risk to the public associated with the release decision, and, as in the case of automatic commitment, they are reasonably related to the state's interest in public safety. *People v. Chavez*, 629 P.2d 1040 (Colo. 1981).

Court order required for administering medication to incompetent absent his consent.

Absent an emergency situation calling for immediate action (in which event the least intrusive means should be used by the physician to meet the emergency), antipsychotic medication shall not be administered to a mentally incompetent institutionalized patient who has not given his consent to this medication unless ordered by a court following a proper hearing. *People in Interest of Medina*, 662 P.2d 184 (Colo. App. 1982), *aff'd*, 705 P.2d 961 (Colo. 1985); *People v. Pflugbeil*, 834 P.2d 843 (Colo. App. 1992).

Test in *People v. Medina*, 705 P.2d 961 (Colo. 1985), for forcibly administering medication applies equally to a forcible increase in medication dosage.

The second Medina element requires a patient to be deteriorating, which does not mean the same thing as "not improving". A patient who is simply not improving will not satisfy the Medina test for forcible administration of medication. *People v. Marquardt*, 2016 CO 4, 364 P.3d 499.

The statutory authorization to forcibly administer medication related to mental illnesses does not grant the state unlimited authority to administer any medical treatment or medication,

even if the four Medina factors are satisfied. The involuntary chemical castration of a person committed by the state to the care of the state hospital by virtue of his mental illness may only be authorized by the general assembly through statute, which it is not. *People in Interest of C.J.R.*, 2016 COA 133, 409 P.3d 536.

The possibility that a certain medication may no longer be an effective treatment, or may not be taken voluntarily, at some unspecified time in the future

is insufficient to justify the entry of an order authorizing the immediate administration of multiple other medications. As such, the people failed to meet the burden set forth under *People in Interest of Medina*. *People in Interest of R.C.*, 2019 COA 99M, ___ P.3d ___.

For presence of respondent at hearing,

see *Isham v. People*, 82 Colo. 550, 262 P. 89 (1927).

For reopening of proceedings under earlier provisions,

see *Wood v. Throckmorton*, 26 Colo. 248, 57 P. 699 (1899); *Ex parte Rainbolt*, 64 Colo. 581, 172 P. 1068 (1918); *People ex rel. Best v. County Court*, 110 Colo. 249, 132 P.2d 799 (1942); *In re People in Interest of Hill*, 118 Colo. 571, 198 P.2d 450 (1948).

Assistant county attorney is absolutely immune from suit concerning her actions and omissions related to the fulfillment of her statutory obligation pursuant to former subsection (5)

to conduct commitment proceedings once the petition for a 72-hour evaluation has been submitted. *Scott v. Hern*, 216 F.3d 897 (10th Cir. 2000).

Applied

in *Sisneros v. District Court*, 199 Colo. 179, 606 P.2d 55 (1980); *In re A.W.*, 637 P.2d 366 (Colo. 1981); *In re P.F. v. Walsh*, 648 P.2d 1067 (Colo. 1982).

Research References & Practice Aids

Cross references:

For the legislative declaration in SB 17-242, see section 1 of chapter 263, Session Laws of Colorado 2017.

Colorado Revised Statutes Annotated

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Attachment 3. 2022 NGA Conference



NATIONAL CONFERENCE ON GUARDIANSHIP

October 22 - 25, 2022

Westin Galleria Dallas
DALLAS, TX



Deep in the Heart of Guardianship

Welcome to the National Guardianship Association's 2022 National Conference on Guardianship. As you've come to expect from NGA, this year's program features outstanding presentations that will appeal to professional and family guardians, public and private guardians, and participants at every level of experience. New this year is a separate program that has been developed for guardianship investigators, auditors, and other professionals who monitor and investigate guardianship.

This conference is being offered in-person. NGA will adhere to any federal, state, or local guidelines related to the status of the pandemic at the time of the event.

www.guardianship.org | 877-326-5992 | registration@guardianship.org

SATURDAY CONFERENCE INTENSIVES

National Conference on Guardianship | October 22 – 25, 2022



**These conference intensives are not included in the conference fee.
Additional registration fees apply to attend these programs.**

7:00 am – 5:00 pm **Registration Area Open**

8:15 am – 11:30 am **Starting, Growing, and Maintaining a Guardianship Business**

Erin Droll, BA, NCG | Corridor Care Management

April Vlaanderen, MA, NCG | Corridor Care Management

The presenters will discuss how they have responded to challenges as their practice has grown from incorporation as a small business partnership to a mid-size LLC with public and private contracts. Topics will include incorporation, case vetting, case transition, contract considerations, and discussion of day-to-day processes. The presenters will share how they stay HIPPA compliant, as well as offer information about how they use technology to increase efficiency and stay compliant. Finally, they will discuss building a network of professional colleagues and referral sources and explain which tasks they have decided to handle in-house vs. tasks that can be outsourced.

8:15 am – 11:30 pm **Legal and Legislative Review, Part 1**

12:45 pm – 4:00 pm **Legal and Legislative Review, Part 2**

Steven D. Fields, JD | Tarrant County Probate Court Two

Terry W. Hammond, JD, NCG | Texas Guardianship Association

Sally Balch Hurme, JD | Sally Balch Hurme LLC

Gregory W. MacKenzie, JD | Hurley Toevs Styles Hamblin & Panter, PA

Elizabeth A. Moran, JD | ABA Commission on Law and Aging

Ira Salzman, JD | Retired

A panel of legal guardianship experts will summarize the major reported court decisions and legislation in the United States during the past year that concern guardianship issues relevant to both professional and family guardians and the attorneys who represent them.

12:45 pm – 4:00 pm **Diverting the Healthcare-to-Guardianship Pipeline: A Person-Centered Approach**

Nisa C. Subasinghe, Esq. | Maryland Judiciary – Admin. Office of the Courts

Judge DaNeeka Varner Cotton | Circuit Court for Prince George's County, MD

Diane Robinson, PhD | National Center for State Courts

Megan A. Rusciano, Esq. | Disability Rights Maryland

Erica C. R. Costello, JD, NCG | ABA Commission on Law and Aging

Healthcare facilities routinely file guardianships to discharge patients with diminished capacity or qualify them for medical assistance. This session will examine this pipeline's scale, its decision-makers, and different approaches for diverting people away from guardianship and to less restrictive options.

CONFERENCE SCHEDULE

National Conference on Guardianship | October 22 – 25, 2022



SATURDAY, OCTOBER 22

- 4:00 pm – 5:30 pm** **State Affiliates Meeting**
- 5:30 pm – 6:30 pm** **Welcome Reception**
Greet old friends and make new connections as participants gather to kick off this year's event!

SUNDAY, OCTOBER 23

- 7:00 am – 5:30 pm** **Registration Area Open**
- 7:00 am – 7:45 am** **Breakfast**
- 7:00 am – 7:45 am** **New Member Breakfast**
- 8:05 am – 8:15 am** **Welcome and Opening Remarks**
Carleton Coleman, 2022 Conference Chair

8:15 am – 9:45 am **Judges' Panel**

Judge DaNeeka Varner Cotton | Circuit Court for Prince George's County, MD
Judge Milton Mack (ret.) | Michigan State Court Administrative Office
Judge Brenda Hull Thompson | The Probate Court of Dallas, Texas
Judge Egan Walker | Second Judicial District Court, State of Nevada
Moderated by Terry Hammond | Texas Guardianship Association

In this session, a panel of probate judges from Texas, Maryland, Michigan, and Nevada will discuss the challenges facing the probate courts today, the opportunities to improve guardianship practice locally and nationally, and best practices guardians and attorneys can use to support their clients. The discussion will include questions from the audience, and questions from our moderator to extract insight into the workings of a probate court.

- 9:45 am – 10:15 am** **Break with Exhibitors**



#guardianship2022
Promote your conference
participation
with our social
media hashtag!

NATIONAL CONFERENCE ON GUARDIANSHIP

10:15 am – 11:30 am Concurrent Breakout Sessions

From Protection to Autonomy: Changing the Trajectory of Adult Guardianship

Teresa Parks, MSW, NCG
Illinois Guardianship and Advocacy
Commission
Dr. Mary L. Milano
Illinois Guardianship and Advocacy
Commission

This presentation examines the intentional cultural shift within a governmental agency, leading to a multi-year pathway of change related to recognizing the autonomy of persons for whom the state has historically served in a more paternalistic fashion through guardianship. The presentation examines both internal and external pursuits to recognize and facilitate the autonomy of persons with disabilities, including those under guardianship. Finally, the presentation will share potential pathways toward continued change and development and how the values represented can survive political change.

Abuse, Neglect and Exploitation: Identification, Prevention, and Getting Help for Your Client

Joyce McHugh, CM, CCM, BSW, MSW
Advocate Care Services

Abuse, neglect, and exploitation are significant issues for at-risk persons. Identifying the signs can be challenging - are bruises always abuse? If your client gives their caregiver extra money, is that exploitation? What constitutes neglect and what about self-neglect? Are these issues preventable? Do any of them present an ethical dilemma for the social worker or guardian? If a family member is abusing them, does that mean they can never see them again? This session will take an in-depth look at these issues and outline prevention strategies. Using a case study, interactive discussion, and handouts, we will cover identification of abuse, neglect, and exploitation, how to get help for a client, advocacy through a legal process, and prevention. Expect a lively and comprehensive session!

Updates to Standards of Practice

Julia R. Nack, M.Ed., NMG Emeritus
Consultant
Gregory W. MacKenzie, JD
Hurley Toevs Styles Hamblin & Panter, PA
Anthony Palmieri
President, National Guardianship Assn.
Paul Stengle
The Arc Alliance
Sally Balch Hurme, JD
Sally Balch Hurme LLC

This is your chance to discuss the proposed changes to the NGA *Standards of Practice*. In light of the recommendations of the 4th National Guardianship Summit, and the advances in practices reflected in the new Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act (UGCOPAA), the NGA board recognized some updating of the Standards was due. A task force has been meeting for the past year to take a thorough look at the *Standards of Practice*, which were last revised in 2013. Members of the task force will lead a discussion about the board-recommended changes. The membership will vote on whether to accept the new Standards at Monday's business meeting.

11:30 am – 12:15 pm Networking Lunch

12:15 pm – 12:45 pm Dessert with Exhibitors

12:45 pm – 2:00 pm Concurrent Breakout Sessions

Innovation Within the VA: A Program Dedicated to Legal Guardianship

Lara VandenBergh, LCSW
Department of Veteran's Affairs

Learn about the innovative steps the Eastern Colorado VA has taken to address the aging Veteran population when it comes to decision-making and guardianship acquisition. Hear about the challenges, successes, and future goals of this program. After attending this presentation, participants will be able to bring ideas and creative solutions back to their agencies or communities to implement when faced with similar challenges related to legal guardianship.

Disarming Anger

Ronna Caras
Center for Guardianship Excellence

Anger, in all its forms, presents emotional and tactical challenges to guardians. For many, the stakes are high and patience is short. This workshop teaches professional strategies for engaging with clients, providers, and families before anger explodes. It presents best practices for calming and disarming so that rational solutions can be discussed.

Ethical Implications of Guardian Self-Dealing

Judge Egan Walker
Second Judicial District Court, State of
Nevada
Tracey Bowles, M.A., MFT, NCG, CPM
Washoe County Public Guardian

This presentation will explore the ethical pitfalls of guardian self-dealing through case studies and utilization of practical tools for the guardian. The judicial perspective includes how statutes and regulations may help protect the person under guardianship, and suggest ways participants can advocate for court involvement and oversight.

2:00 pm – 2:30 pm Break with Exhibitors

SAFETY IS STILL A PRIORITY

NGA and Westin Galleria Dallas take the safety of our attendees, NGA volunteers and staff, and hotel staff seriously. Last year, we increased the length of breaks between breakout sessions to 30 minutes to allow for additional cleaning and less congestion during breaks, and we have maintained that timing. While details may change as the pandemic continues to evolve, we will continue to carefully follow all federal, state, and local direction regarding safely holding a meeting.

NATIONAL CONFERENCE ON GUARDIANSHIP

2:30 pm – 3:45 pm Concurrent Breakout Sessions

Elder Justice Innovation Across the Nation

Elizabeth A. Moran, JD

ABA Commission on Law and Aging

Lisa Wawrzonek, MS

Alaska Court System

Nisa C. Subasinghe, Esq.

Maryland Judiciary – Administrative Office of the Courts

Evelyn J. Patsos, Esq.

Massachusetts Probate & Family Court

Jamie Majerus, CPA, CIA, CFE

Minnesota Judicial Branch

Kathleen McCloskey MA, LPM

Nevada Supreme Court

Jeffrey Petty

Oregon Judicial Department

Deena Schwartz, Esq.

Project Guardianship

In late 2021, ACL awarded the highest courts of seven states with two-year Elder Justice Innovation Grants. Grantee panelists will discuss the fairness, effectiveness, timeliness, safety, integrity, and accessibility of adult guardianship/conservatorship proceedings, and development of innovations for improvement.

Protecting the SNT Trustee From Litigation

Jeremy Lau, CFA®, CFP®

Prudent Investors

The SNT Trustee has a fiduciary obligation towards the SNT beneficiary, which represents the highest duty one can owe another under the law. The presenter will discuss the various ways in which an SNT Trustee should protect themselves from potential liability e.g, written procedures or sufficient insurance. He will also discuss common SNT Trustee duties that trigger potential liability such as poor investments, bad recordkeeping, loss of public benefits, and fights over distributions, among other similar issues. Finally, he will discuss what the SNT Trustee can expect if litigation is unavoidable.

Starting a Non-Profit Community Guardianship Program: A Case Study

Kent Davis, MPH, NCG

Volunteer Guardianship One on One

Robert Shanahan, Esq.

Volunteer Guardianship One on One

Volunteer Guardianship One on One pioneered community guardianship in New Jersey. The presenters will describe the concept of community guardianship, how the agency works with public agencies, and share outcomes for stakeholders interested in creating a similar program in their communities.

3:45 pm – 4:15 pm Break with Exhibitors

4:15 pm – 5:30 pm Concurrent Breakout Sessions

Working with High Conflict Families: Multidisciplinary Exploration of Effective Management Techniques

Judge Egan Walker

Second Judicial District Court, State of Nevada

Tracey Bowles, M.A., MFT, NCG, CPM
Washoe County Public Guardian

This presentation will explore high-conflict family dynamics and their impact on guardianship. Following a case study, the presenters will explore successful opportunities for intervention at the attorney client level, from the bench, and from the guardian's perspective.

A New Mexico Statewide Training Program in Ethics and Skill Development for Guardians: A Multidisciplinary Model

Susan Bennett

CNM Ethics in Guardianship Program

Susan Stuart, BUS, CMC, NMG
Decisions in Care, LLC

Seven professionals saw the need for in-depth ethics training and skill development for new and practicing guardians in New Mexico. Their cooperative efforts produced a training program including ethics, law, cultural diversity, intellectual disabilities, medical and behavioral health, advance directives, decisional capacity, biomedical ethics, sexuality and spirituality, fiduciary responsibilities, and tools for challenging situations. The presenters will share the program development and implementation, discuss how it has been received, and suggest ways to adapt this process for your state or local program.

Establishing a Decision Framework for Making Difficult Decisions

Daniel Cutter, CRPC®

Merrill – The Special Needs Team

Dion Hobbs

Merrill – The Special Needs Team

Douglas Quint, CEPA®, CPFA®

Merrill – The Special Needs Team

Establishing a decision framework will help you choose the best outcome to help your client live his/her best life while protecting your practice in the process. The panelists will illustrate how to use financial planning to make difficult decisions for your clients. In a litigious society, it is imperative to follow a consistent, repeatable process for making decisions for your clients. The presenters will show you how long the money lasts and how following this process protects you from liability.

5:30 pm – 7:30 pm Reception with Exhibitors and Live Auction

Spend a fun evening with your fellow participants, visit with exhibitors who are available to answer your questions about their products and services, and enjoy some great food! A highlight of this event is the live auction of donated items; the proceeds benefit scholarships for public and family guardians.

NATIONAL CONFERENCE ON GUARDIANSHIP

MONDAY, OCTOBER 24

- 7:45 am – 5:00 pm **Registration Area Open**
- 8:00 am – 9:00 am **Breakfast**
- 8:40 am – 8:50 am **Daily Opening Remarks**
Carleton Coleman, Conference Chair
- 9:15 am – 10:30 am **Concurrent Breakout Sessions**

Show Me the Money! Creative Opportunities and Strategies for Funding Guardianship Programs and Clients

Erica C. R. Costello, JD, NCG

ABA Commission on Law and Aging

Rebecca M. Pryor, MSM, NCG

Creative Approaches, LTD/WINGS IN
Adult Guardianship State Task Force

Missy Tackett, NCG

Southern Indiana Adult Guardianship
Services/The Solutions Center

This interactive session will provide information and strategies for family, public, and professional guardians about ways to creatively increase their in-kind and cash budgets. Employing NGA Standards, attendees will learn how to incorporate diversity, equity, and inclusion into funding strategies.

Knowing Your Place: How to Talk About Social Identity

Joanne Tompkins, PhD

The Center for Guardianship Excellence

Characteristics like gender, race, age, and abilities influence interactions, opportunities, and outcomes for individuals under guardianship. Is someone included or excluded? Advantaged or disadvantaged? This session discusses how intersecting social identities shape perceptions, experiences, and relationships, particularly guardianship relationships, and provides strategies for discussing sensitive topics.

Blended and Complex Families, Joint and Separate Property, Divorce, and Guardianship

Bridget L. Mullins, Esq.

Pregenzer Baysinger Wideman & Sale,
P.C.

Laurie Hedrich, Esq.

Hedrich Law, P.A.

The presenters will explore guardianship cases in the context of complex family dynamics including joint and separate property, divorce, blended families, and family conflict. The presenters will use case studies to examine the dos and don'ts of addressing these issues in court.

10:30 am – 11:00 am **Break with Exhibitors**

11:00 am – 12:15 am **Concurrent Breakout Sessions**

Discovering a Person's Goals, Needs and Preferences: Lessons from Peacemaking

Harvie Leonard (Lennie) Burke, NMG
Specialty Guardian Services

Guardians are directed to give first priority to a person's needs, goals and preferences in their decision making. They are directed to gather that information, but not told how to do that. The presenter will review strategies, tactics, and obstacles to communication based on his experience as a professional mediator and peacemaker.

Case Presentation: When a Client Kills Someone

Joyce McHugh, CM, CCM, BSW, MSW
Advocate Care Services

This is a case study presentation of a client who shot and killed someone, and the legal process and guardian's role from incident to resolution. The ethical challenges and considerations presented when protecting the rights of a client who has killed someone will be discussed.

Business Succession Planning that Meets the Ethical Continuity of Care Standard

Frank R. Acuña
Acuña ❖ Regli, LLP

Fiduciary ethics require that a fiduciary plan for their own incapacity, death, or retirement to provide for their clients' "continuity of care." However, the courts and the legislature have failed legal options or guidance for fiduciaries to create such plans or to use business organizations available to other professions. This course will examine current laws and typical succession plans, evaluating whether they comply with current law and fulfill the duty of continuous care. Several business structures which are available will be explained, as will language that should be considered in every trust, retainer letter, or court appointment of a licensed professional fiduciary. This is one of the most hotly debated topics in fiduciary practice. Be ready for a lively discussion!

NATIONAL CONFERENCE ON GUARDIANSHIP

12:15 pm – 1:45 pm Lunch and Annual Meeting

1:45 pm – 2:00 pm Break with Exhibitors

2:00 pm – 3:15 pm Concurrent Breakout Sessions

Supported Decision-Making in Guardianship: How Guardians Can Use Supported Decision-Making Principles to Benefit Individuals Under Guardianship

Kristen Henry

Advocacy & Protective Services, Inc.

Jill Couch

Advocacy & Protective Services, Inc.

Josh Young

Ohio Network for Innovation

Eric Bell

Advocacy & Protective Services, Inc.

Guardianship provides important legal authority but does not solve or prevent every problem. In this session, participants will learn when and how to use supported decision-making (SDM) principles and practices to help protect the person and promote greater independence.

How to Decide Whether to Invest a Client's Funds or Leave in Cash

Darryl J. Lynch, AIF®

The Lynch Group, Oppenheimer & Co. Inc.

Peter C. Palumbo, AIF®

Oppenheimer & Co. Inc.

This presentation will provide tools that can be used in your everyday practice to make objective decisions and document your process. These tools will allow you to reduce your risk and liability as a fiduciary. By working through concrete examples, you will learn how to measure risk tolerance, decide whether to invest client funds, and determine appropriate asset allocations and investment strategy.

Why and How of Certification

Sally Balch Hurme, JD

Sally Balch Hurme LLC

Julia R. Nack, M.Ed., NMG Emeritus
Consultant

For 25 years the Center for Guardianship Certification has been certifying guardians who have demonstrated that they can apply the NGA Ethical Principals and Standards of Practice. If you are not already a National Certified Guardian, you should be. Find out why you should, what it takes to become an NCG, and how you go about it. If you are already an NCG, it's time you took the next step to be a National Master Guardian. Find out why you should, what it takes to become an NMG, and how you go about it.

3:15 pm – 3:45 pm Break with Exhibitors

3:45 pm – 5:00 pm Concurrent Breakout Sessions

Guardianship Court Improvement: Effectuating Improved Processes and Outcomes in U.S. Guardianship Systems

Elizabeth A. Moran, JD

ABA Commission on Law and Aging

Benjamin Orzeske, JD

Uniform Law Commission

DeAnza Valencia, MS, JD

AARP

Panelists from AARP, ABA, and ULC will discuss the GCIP, UGCOPPA, and recent guardianship reform efforts. These efforts are effectuating improved data collection, oversight and accountability, avoidance of unnecessary or overbroad guardianship, enhanced collaboration among courts, agencies, and organizations impacting adults subject to guardianship.

When All You Have Is a Hammer: The Misuse of Adult Guardianship to Fill Gaps in Other Systems

Jennifer Donovan, JD

Iowa Department on Aging – Office of Public Guardian

When all you have is a hammer, everything looks like a nail. As the toolbox of available decision-making supports expands, it is important to consider which tools are most appropriate for situations that have traditionally been addressed with the "hammer" of guardianship. This presentation will explore the use and misuse of guardianship – especially public guardianship – to address various situations.

Ethics Jeopardy!

Frank R. Acuña

Acuña ♦ Regli, LLP

Presenting ethics in a fast moving, informative format. Questions and answers are taken from various state and federal laws, codes of ethics, and reported cases throughout the United States of America. Cues and responses will be given, followed by a short explanation of the ethical issue raised and its resolution. The source of the resolution will be given to allow participants to study in greater detail.

5:00 pm Open Evening to Enjoy Dallas



NATIONAL CONFERENCE ON GUARDIANSHIP

TUESDAY, OCTOBER 25

- 7:00 am – 11:30 am Registration Area Open
- 7:00 am – 8:00 am Breakfast
- 8:05 am – 8:15 am Daily Opening Remarks
Carleton Coleman, Conference Chair

8:15 am – 9:45 am What Courts Are (or Are Not) Doing to Improve Data Collection

Sally Balch Hurme, JD | Sally Balch Hurme LLC
Erica Wood, JD | Elder Law Advocate
Pamela B. Teaster, PhD, MA, MS | Center for Gerontology, Virginia Tech
E. Carlisle Shealy, PhD | Center for Gerontology, Virginia Tech
Diane Robinson, PhD | National Center for State Courts

For too long the lack of good data has hampered our understanding of how the guardianship system actually works. Anecdotal stories of abuse have harmed all those stakeholders--courts, guardians and policy makers--who strive to best serve the most vulnerable of our citizens. Researchers through a contract with the National Institute of Justice of the U.S. Department of Justice have delved into the thicket of discerning current adult guardianship data capabilities and what that data might reveal of any guardian abuses. They report on their findings and the opportunities they identified that will advance our understanding of data collection and guardianship oversight.

- 9:45 am – 10:00 am Break

10:00 am – 11:30 am Serious Mental Illness: A Collaborative Approach

Judge Milton Mack (ret.) | Michigan State Court Administrative Office
Janet M. Thompson | Boone County Missouri Commission
Karen Digh Allen, Esq., NCG | Callaway County, Missouri
Amanda Huffman | Morgan County Public Administrator

This presentation will focus on the use of a collaborative approach to address the lack of adequate resources and funding to meet the needs of persons with a serious mental illness. The panel will present a historical perspective on these issues along with relevant facts of the brokenness of the current system that fails to provide timely and appropriate services and support to persons with a serious mental illness. The panel will present information about the work of the National Judicial Task Force to Examine State Courts' Response to Mental Illness and about collaborative efforts nationwide to improve services, early intervention treatment, and available resources for individuals with serious mental illness.

- 11:30 am Final Remarks, Conference Concludes



CONFERENCE SCHOLARSHIPS

Each year, NGA offers three scholarships for the National Conference on Guardianship, which are supported by the silent and live auctions held each year at the conference. Each scholarship provides one complimentary registration to the conference, and limited travel and lodging expenses. **The application deadline for all scholarships is Friday, July 8.**

NGA Family Guardian Scholarship

This scholarship has been created to reward a family guardian who is a member of NGA or who holds membership in one of NGA's affiliate state organizations.

Fred Kretz Memorial Scholarship for Public Guardians

This scholarship rewards a public guardian who is a member of NGA, or who holds membership in one of NGA's state affiliate associations, and who has earned certification from the Center for Guardianship Certification.

NGA Board Legacy Scholarship

The Board Legacy Scholarship honors past directors of NGA's board and committee volunteers who have worked to establish and execute the mission of the organization.

View complete details and apply online [here](#).

NATIONAL CONFERENCE ON GUARDIANSHIP

SPECIAL TRAINING PROGRAM

FOR GUARDIANSHIP INVESTIGATORS: **PROTECTING PERSONS SERVED BY STATE GUARDIANSHIP/CONSERVATORSHIP SYSTEMS**

NGA is proud to announce a pilot certificate program that will build upon your expertise with guardianship oversight and accountability standards. This is specialized training for guardianship and conservatorship investigators, auditors, monitors, and reviewers with any local, state or federal role.

This four-day event will be held concurrent with the National Conference on Guardianship in Dallas, TX on October 22-25, 2022.

Participants will:

- Learn the steps for investigating, documenting, and reporting guardianship complaints
- Identify common and uncommon red flags that warrant a deeper assessment
- Practice interview skills for uncovering the truth
- Review best practices for auditing and accounting
- Apply NGA Ethical Principles to case studies to determine appropriate resolutions
- Leave with more than 20 CEUs

Class size is limited, so participants should register early. The eligibility requirements to participate with this specialized training, including experience, education, and supervisory approval, are waived for the 2022 certificate program. The number of CEUs is tentative depending on a granting agency's final approval.

The event schedule will mirror the schedule outlined for the National Conference on Guardianship, and participants will have access to the same meals, breaks, activities, and receptions as conference attendees. This program schedule includes full days of programming on Saturday, Sunday, and Monday, and a half day of programming on Tuesday. Please see page 12 for registration fee details.



OUR SILENT AND LIVE AUCTIONS ARE FUN AND IMPORTANT!

Conference attendees always look forward to the lively auctions that add sparkle to the event and needed income to the Special Projects Fund. Donated items, ranging from jewelry to electronics and fabulous vacations, are auctioned to raise money for NGA to fund worthy projects that are outside of the regular budget. The annual conference scholarships for family and public guardians come from the auction proceeds.

Even if you can't attend, you are invited to be part of the auction. View the [donation form](#) to learn more.



NATIONAL CONFERENCE ON GUARDIANSHIP

ACCOMMODATIONS



Westin Galleria Dallas
[Hotel Website](#)

13340 Dallas Parkway | Dallas, Texas
[Book Online](#)

Experience the best at The Westin Galleria Dallas. Find name-brand shopping at the Galleria Mall, located within convenient walking distance of the hotel. Both Dallas-Fort Worth International Airport and Dallas Love Field are short drives away. Stay on track in the 24-hour fitness center, featuring the latest cardio machines and free weights or take a dip in the outdoor pool. Luxury suites offer signature Westin Heavenly Beds®, engineered for the deepest, most restful sleep. Stay connected with social media, stream the latest movie using high-speed Wi-Fi or enjoy a wide selection of channels on your room's flat-screen TV. Invigorate your senses with our line of bath amenities, which give you the energy you need for your day in Dallas.

For reservations, visit the [reservation website](#).
or

call the Marriott's reservations line at 888-236-2427.

You must identify yourself as part of NGA's 2022 conference to obtain the group rate.

It is important that you indicate any special rooming needs or arrangements at the time of this call.

Group Room Rate (rate does not include taxes)
\$199.00 per night

NGA cannot guarantee room availability. The discounted group rate concludes on **Wednesday, September 28**. Rooms will be available at the discounted rate until that date, or until the block is filled, whichever comes first. Please be aware that the NGA room block usually **fills well before the deadline**. At that point, you are competing with other guests for rooms. Requests for reservations after September 28 will be accepted by the hotel on a space and rate availability basis. For those making reservations prior to the deadline, rooms may also be available at the group rate on the three days prior to and the three days after the actual conference to accommodate vacation planning.

Airport Information

The Westin is located 16.1 miles from Dallas Fort Worth International Airport (DFW) and 18.0 miles from Dallas Love Field (DAL). The hotel does not offer a shuttle service.

CONTINUING EDUCATION

NGA's conference is approved for guardianship continuing education credits by the Center for Guardianship Certification (CGC) and any state that accepts CGC's approval.

- The main program holds a potential of 14.50 credit hours.
- A full day of conference intensives adds another potential 6.0 hours.

Due to accrediting body approval processes, the specific number and type of credits accepted will not be defined until October. Keep in mind that not all hours will be deemed acceptable for all types of credit. Questions about continuing education credits can be sent to Kelly Dolan at education@guardianship.org or by calling NGA at 877-326-5992, ext. 2.

Proof of Attendance

NGA moderators and presenters will announce three codes during each session: one at the beginning of the session, another in the middle, and another near the end of the session. Codes MUST be submitted online to receive proof of attendance; should you miss one of the codes, you may record the time you entered or exited the room. Moderators, staff, and other attendees are unable to repeat these codes, as this is a requirement to verify attendance for continuing education credit; falsifying information can result in loss of education hours for all attendees. NGA strongly advises that all attendees submit attendance verification forms to document your participation should you need record of it in the future.

Verified Certificate of Attendance

The conference registration includes a verified certificate for every attendee who submits the proof of attendance codes online. This certificate can be submitted as proof of attendance to areas of education where NGA did not seek pre-approval.

State-Specific Guardianship Credits

NGA also applies to CE Broker (Florida Public Guardian Office) and Professional Guardian Certification Board of Washington State. Certificate fees apply to receive Guardianship CEUs for Florida and Washington.

Continuing Legal Education Credits

NGA has applied to offer Continuing Legal Education credit in Texas. Certificate fees apply to receive a legal certificate. Individuals outside of Texas seeking legal credits should contact their state boards prior to the conference to see if their state accepts Texas approval prior to purchase of the legal certificate.

Social Work Credits

NGA applies for social work credits with NASW. Verify that your state accepts the NASW approval. NGA is only able to offer CEUs through NASW for attendance at the live event. Certificate fees apply to receive a social work certificate.

Issuing of Certificates

To issue your certificate in a timely manner, NGA must receive your attendance code verification form promptly. Individuals submitting verification codes on or before **November 4** will receive certificates by **December 16**. If proof of attendance code submissions are received after November 4, a late fee of \$25 will be charged. Certificates can be downloaded online.

ARRIVE EARLY, LEAVE LATE, AND EXPLORE THE DALLAS AREA!

SIXTH FLOOR MUSEUM AT DEALEY PLAZA

One of Texas' most visited historic sites, The Sixth Floor Museum at Dealey Plaza chronicles the life, death and legacy of President John F. Kennedy. The museum is in the former Texas School Book Depository building, where evidence of a sniper was found after the assassination of President Kennedy on November 22, 1963. Much of the exhibit space looks as it appeared in the 1960s. Highlights include a sniper's perch, the FBI model used by the Warren Commission, an original teletype machine that first transmitted news of the president's death, Oswald's wedding ring, historic films, photos and more. An interactive display overlooks Dealey Plaza.



GEORGE W. BUSH PRESIDENTIAL CENTER

The George W. Bush Presidential Center is a state-of-the-art facility on the campus of Southern Methodist University in Dallas, Texas. It is home to the George W. Bush Library and Museum and the George W. Bush Institute. The Library and Museum features both permanent and special exhibits, a precise replica of the Oval Office, beams from the World Trade Center twisted from the events of 9/11, a Texas Rose Garden, and a number of interactive exhibits. The popular Decision Points Theater enables visitors to experience the presidential decision-making process firsthand.



DALLAS ARBORETUM & BOTANICAL GARDENS

A nationally acclaimed 66 acre display garden features breathtaking floral displays all year long. Nestled on the shores of White Rock Lake, the Dallas Arboretum was named "One of the Most Breathtaking Gardens in the World" by Architectural Digest. Autumn at the Arboretum-September-November features a nationally acclaimed Pumpkin Village featuring over 90,000 pumpkins/gourds/squash and named one of America's Best Pumpkin festivals by Fodor's Travel.



VISIT FORT WORTH

Once home to cowboys, cattlemen and outlaws, today Fort Worth's Stockyards National Historic District is one of the most popular attractions in Texas. Day and night, visitors come to the Stockyards to get a taste of the true American West. Begin your journey on Exchange Avenue, where the weathered brick streets are lined with historic buildings, restaurants, shops, saloons and other attractions. See The Fort Worth Herd, the world's only twice-daily cattle drive, at 11:30 a.m and 4 p.m. Billy Bob's Texas is the world's largest honky-tonk. The club has almost three acres under one roof with its own indoor rodeo arena for exciting live bull riding every Friday and Saturday, a Texas-sized dance floor, dozens of bar stations, a full restaurant, and a Wall of Fame with celebrity handprints.



STATE FAIR OF TEXAS

At 24 consecutive days, the State Fair of Texas is the longest-running fair in the nation, as well as one of the largest. Through its rich and lengthy history, it remains evident that the State Fair serves not only as an annual celebration but as a unique destination that brings people from all walks of life together to create lifelong memories.



The State Fair runs through October 23, 2022.

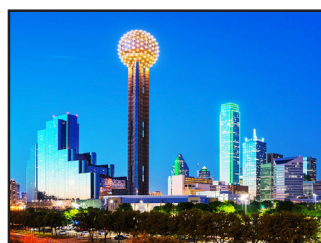
SOUTHFORK RANCH

For thirteen years, television sets were tuned in to 356 episodes of Dallas, one of the longest running TV series in history. Viewers made themselves home at Southfork, the ranch the Ewings called home and where the world was a weekly guest. Today, Southfork continues to welcome visitors from around the world, who come to see where Dallas was filmed and to experience the lifestyle made famous by the Ewings. Whether you are an individual traveler or part of a group tour, Southfork is open Tuesday - Sunday (closed Mondays), year-round for guided tours of the ranch. Tour the famed Ewing Mansion and relive exciting moments from the series in the Dallas Legends exhibit, featuring an exciting array of memorabilia from the series.



REUNION TOWER

Reunion Tower, an iconic Dallas landmark, offers panoramic 360-degree views of the Dallas skyline. The Reunion Tower GeO-Deck offers an indoor/outdoor observation deck 470 feet in the air!



CONFERENCE FEES

NGA Member Rates	NGA Non-Member Rates	Not a Member?																																																																																				
<p>Early Bird Discounted Registration if Received BEFORE September 3</p> <table> <tr><td>Full Conference</td><td>\$450</td></tr> <tr><td>Sunday <u>or</u> Monday only</td><td>\$200</td></tr> <tr><td>Tuesday only</td><td>\$100</td></tr> <tr><td>Intensive: Legal & Legislative Review</td><td>\$150</td></tr> <tr><td>Intensive: Half-Day (each)</td><td>\$100</td></tr> <tr><td>Guardianship Investigators Program</td><td>\$700</td></tr> </table> <p>Regular Registration if Received BETWEEN September 3 and September 30</p> <table> <tr><td>Full Conference</td><td>\$475</td></tr> <tr><td>Sunday <u>or</u> Monday only</td><td>\$215</td></tr> <tr><td>Tuesday only</td><td>\$115</td></tr> <tr><td>Intensive: Legal & Legislative Review</td><td>\$165</td></tr> <tr><td>Intensive: Half-Day (each)</td><td>\$125</td></tr> <tr><td>Guardianship Investigators Program</td><td>\$700</td></tr> </table> <p>Late Registration if Received AFTER September 30</p> <table> <tr><td>Full Conference</td><td>\$550</td></tr> <tr><td>Sunday <u>or</u> Monday only</td><td>\$240</td></tr> <tr><td>Tuesday only</td><td>\$140</td></tr> <tr><td>Intensive: Legal & Legislative Review</td><td>\$180</td></tr> <tr><td>Intensive: Half-Day (each)</td><td>\$150</td></tr> <tr><td>Guardianship Investigators Program</td><td>\$775</td></tr> </table>	Full Conference	\$450	Sunday <u>or</u> Monday only	\$200	Tuesday only	\$100	Intensive: Legal & Legislative Review	\$150	Intensive: Half-Day (each)	\$100	Guardianship Investigators Program	\$700	Full Conference	\$475	Sunday <u>or</u> Monday only	\$215	Tuesday only	\$115	Intensive: Legal & Legislative Review	\$165	Intensive: Half-Day (each)	\$125	Guardianship Investigators Program	\$700	Full Conference	\$550	Sunday <u>or</u> Monday only	\$240	Tuesday only	\$140	Intensive: Legal & Legislative Review	\$180	Intensive: Half-Day (each)	\$150	Guardianship Investigators Program	\$775	<p>Early Bird Discounted Registration if Received BEFORE September 3</p> <table> <tr><td>Full Conference</td><td>\$575</td></tr> <tr><td>Sunday <u>or</u> Monday only</td><td>\$275</td></tr> <tr><td>Tuesday only</td><td>\$115</td></tr> <tr><td>Intensive: Legal & Legislative Review</td><td>\$165</td></tr> <tr><td>Intensive: Half-Day (each)</td><td>\$125</td></tr> <tr><td>Guardianship Investigators Program</td><td>\$700</td></tr> </table> <p>Regular Registration if Received BETWEEN September 3 and September 30</p> <table> <tr><td>Full Conference</td><td>\$620</td></tr> <tr><td>Sunday <u>or</u> Monday only</td><td>\$290</td></tr> <tr><td>Tuesday only</td><td>\$140</td></tr> <tr><td>Intensive: Legal & Legislative Review</td><td>\$180</td></tr> <tr><td>Intensive: Half-Day (each)</td><td>\$150</td></tr> <tr><td>Guardianship Investigators Program</td><td>\$700</td></tr> </table> <p>Late Registration if Received AFTER September 30</p> <table> <tr><td>Full Conference</td><td>\$695</td></tr> <tr><td>Sunday <u>or</u> Monday only</td><td>\$315</td></tr> <tr><td>Tuesday only</td><td>\$165</td></tr> <tr><td>Intensive: Legal & Legislative Review</td><td>\$205</td></tr> <tr><td>Intensive: Half-Day (each)</td><td>\$175</td></tr> <tr><td>Guardianship Investigators Program</td><td>\$775</td></tr> </table>	Full Conference	\$575	Sunday <u>or</u> Monday only	\$275	Tuesday only	\$115	Intensive: Legal & Legislative Review	\$165	Intensive: Half-Day (each)	\$125	Guardianship Investigators Program	\$700	Full Conference	\$620	Sunday <u>or</u> Monday only	\$290	Tuesday only	\$140	Intensive: Legal & Legislative Review	\$180	Intensive: Half-Day (each)	\$150	Guardianship Investigators Program	\$700	Full Conference	\$695	Sunday <u>or</u> Monday only	\$315	Tuesday only	\$165	Intensive: Legal & Legislative Review	\$205	Intensive: Half-Day (each)	\$175	Guardianship Investigators Program	\$775	<p>Join Now and Pay Member Rates!</p> <table> <tr><td>Individual Membership</td><td>\$180</td></tr> <tr><td>Org. Membership** first employee</td><td>\$260</td></tr> <tr><td>Org. Membership* add'l employee</td><td>\$110</td></tr> <tr><td>Family, Volunteer, Retired</td><td>\$60</td></tr> </table> <p>**Organization members are entitled to pay member rates for all employees attending the conference, regardless of the member status of employees.</p> <p>Family Guardian Fee (applies to members and non-members)</p> <table> <tr><td>Sunday <u>or</u> Monday*</td><td>\$50</td></tr> <tr><td>Full Conference</td><td>\$425</td></tr> </table> <p>*Family guardian single day rate includes sessions, exhibits, and food functions until 5:00 pm. Family single day rate is for one day only. Anyone wishing to attend additional days will pay the regular single day rate.</p>	Individual Membership	\$180	Org. Membership** first employee	\$260	Org. Membership* add'l employee	\$110	Family, Volunteer, Retired	\$60	Sunday <u>or</u> Monday*	\$50	Full Conference	\$425
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INFORMATION ABOUT CONFERENCE FEES

Registration for the Saturday Conference Intensives: Full-day or half-day sessions require additional fees. Payment covers one of these sessions. Registrants may only attend/receive the materials for the session(s) for which they register and pay. Main conference handouts are not included in this fee.

The full conference registration fee includes entrance to all education sessions on Sunday, Monday, and Tuesday; welcome reception and exhibitor reception; breakfast on Sunday, Monday, and Tuesday; lunches on Sunday and Monday; and all breaks, as well as the conference handouts.

The guardianship investigators program fee includes entrance to all program sessions on Saturday, Sunday, Monday, and Tuesday; welcome reception and exhibitor reception; breakfast on Saturday, Sunday, Monday, and Tuesday; lunches on Sunday and Monday; and all breaks, as well as access to the program handouts.

Early bird registration discounts exist to encourage early registration so that NGA can better estimate attendance and adequately prepare for conference meals, materials, and space.

One-day registration covers only the day of your choice with the lunch and breaks that day, as well as the conference handouts. Sunday's fee includes the reception that evening.

Guests can be accommodated for some meals. Please email registration@guardianship.org for pricing and availability.

NGA Registration Form 2022 National Conference on Guardianship

Register each person using a separate form, but total payment can be made with one check or credit card.

**Registration must be received before September 3 for the early bird discount.
Late registration fees apply after September 30.**

2022 Conference Registration

Registration fees are available on the previous page.

Complete name, include any designations (please print clearly)

Name as you want it to appear on your name badge, include any designations

Agency/Organization/Company

Mailing address

City, State, Zip

Phone Cell phone if we need to reach you at the conference

Email (Confirmations are only sent by email.)

- I am a family guardian.
- I am a first-time conference attendee.
- I have a special dietary or accessibility need and will require accommodations in order to fully participate in this conference.
 - Vegetarian Gluten Free
 - Vegan Dairy-Free
 - Other: _____ Please contact me to discuss.

To add more people, this form may be photocopied and total fee paid with one check or credit card.

Registration Payment (Federal ID # 36-3591860)

- Please email me a receipt for my records.

Register and pay with credit card online at www.guardianship.org.

Mail form and check (payable to NGA) to: NGA, 174 Crestview Dr., Bellefonte, PA 16823-8516

Fax this form with credit card information to 814-355-2452

Credit Card: Visa MasterCard American Express

Name on Card (print)

Account Number

Expiration Date Security Code

Signature

Early bird registration if received BEFORE Sept. 3

	NGA Member	Non-Member
Full Conference	\$ _____	\$ _____
Sunday only	\$ _____	\$ _____
Monday only	\$ _____	\$ _____
Tuesday only	\$ _____	\$ _____
Intensive: Legal & Legislative Review	\$ _____	\$ _____
Intensive: Starting Guardianship Bus.	\$ _____	\$ _____
Intensive: Diverting the Pipeline	\$ _____	\$ _____
Guardianship Investigators Program	\$ _____	\$ _____

Regular registration BETWEEN Sept. 3 and Sept. 30

	NGA Member	Non-Member
Full Conference	\$ _____	\$ _____
Sunday only	\$ _____	\$ _____
Monday only	\$ _____	\$ _____
Tuesday only	\$ _____	\$ _____
Intensive: Legal & Legislative Review	\$ _____	\$ _____
Intensive: Starting Guardianship Bus.	\$ _____	\$ _____
Intensive: Diverting the Pipeline	\$ _____	\$ _____
Guardianship Investigators Program	\$ _____	\$ _____

Late registration if received AFTER Sept. 30

	NGA Member	Non-Member
Full Conference	\$ _____	\$ _____
Sunday only	\$ _____	\$ _____
Monday only	\$ _____	\$ _____
Tuesday only	\$ _____	\$ _____
Intensive: Legal & Legislative Review	\$ _____	\$ _____
Intensive: Starting Guardianship Bus.	\$ _____	\$ _____
Intensive: Diverting the Pipeline	\$ _____	\$ _____
Guardianship Investigators Program	\$ _____	\$ _____

Additional Registration Options

- Family Guardian Single Day: _____ *Please indicate which day.* \$ _____
- Certificate (order certificate on next page) \$ _____
- Not a member? Save by joining NGA today \$ _____

Total for Conference Registration: \$ _____

No refunds will be issued after Monday, October 10. Cancellations after October 10 will receive a copy of materials from the conference.

Changes or cancellations must be made in writing to Terri Breon at registration@guardianship.org. Substitutions may be made in advance.



CERTIFICATE OF ATTENDANCE ORDER FORM

**National Conference on Guardianship
October 22 – 25 | Dallas, TX**

Any person needing a Certificate of Attendance for the Center for Guardianship Certification or California Fiduciary Bureau WILL NOT need to purchase a certificate. A verified certificate of attendance is provided to all attendees and does not require purchase (unless late fees apply). The aforementioned certificate is accepted by the Center for Guardianship Certification and any state which accepts their approval. Certificate purchases are outlined below. (Please allow 30 days following verification code submission for receipt of certificate.)

Areas listed below require pre-approval or additional staff support. Additional fees are required.

<input checked="" type="checkbox"/>	Certificate Type	Certificate Use	Fee for Certificate
	Guardianship	Only Florida or Washington (All other guardianship areas accept the verified certificate already provided.)	\$25.00
	Legal	Used for Texas (or any other state that accepts Texas's approval)	\$50.00
	Social Work	Certificate may be used for all states accepting NASW approval	\$50.00
	Late Fee	Any certificate where code verification is submitted after November 4.	\$25.00

Fill out clearly and completely information as you would like it to appear on your certificate

State for which requesting certificate: _____ License/Bar/Guardian # if applicable _____

Name _____

Email _____ Phone _____

Company _____

Address _____

City _____ State _____ Zip Code _____

Total Payment for Order \$ _____ Please email me a receipt _____

_____ Visa	_____ MasterCard	_____ American Express
Card # _____	Sec. Code _____	Exp. Date _____
Name on Card _____		

MAIL: Enclose check or money order, payable to NGA: 174 Crestview Drive, Bellefonte, PA 16823-8516.
FAX: Provide credit card information and fax to 814-355-2452.