

Office of Public Guardianship

Chair report

November 2023

Some of us have been contacted or are aware of the efforts to expand the Uniform Guardianship, Conservatorship, and other Protective Arrangements Act (UGCOPAA) in Colorado.

On Friday, the CO Commission on Uniform State Laws voted unanimously after hearing support from the Colorado Bar Association, Disability Law Colorado and Arc Colorado to pick-up and move forward with legislation that would adopt UGCOPAA during the 2024 legislative session, with Senator Gardner as the legislative sponsor.

I had the opportunity to meet with Ben Orzeske who is chief council with the Uniform Law Commission while attending the National Guardianship Alliance conference last week. He is working on a side-by-side comparison on current Colorado law and UGCOPPA standards that should be available within the next week or so. Weekly stakeholder meetings will begin November 3rd. Sophia has been invited to participate and I am working on an invitation as well.

I will be meeting with the Executive Director of The Arc of Colorado and the ED of the Arc of Pikes Peak over the next two weeks to discuss how UGCOPAA changes impact different areas of Colorado law, definitions, process, etc. Arc of Pueblo and Pikes Peak both have guardianship programs and opposed the legislative changes proposed last session that in my opinion did not effectively protect the confidentiality and rights of a person under guardianship.

UGCOPPA is considered the gold standard for the following reasons:

- Person-Centered individual guardianship plans with periodic monitoring for compliance.
- Alternatives to full guardianship including temporary arrangements, single transaction orders and supported decision-making options.
- Guardians are fiduciaries with clear standards for making decisions in accordance with the person's expectations if knowable, otherwise in the person's best interest.
- Protections against isolation from family and friends.