

Public Guardianship and Conservatorship



Help and Protection for High
Risk Incapacitated Adults

Presented by:

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Public Guardian and Conservator



**Department of County Human Services
Aging, Disability and Veterans Services**

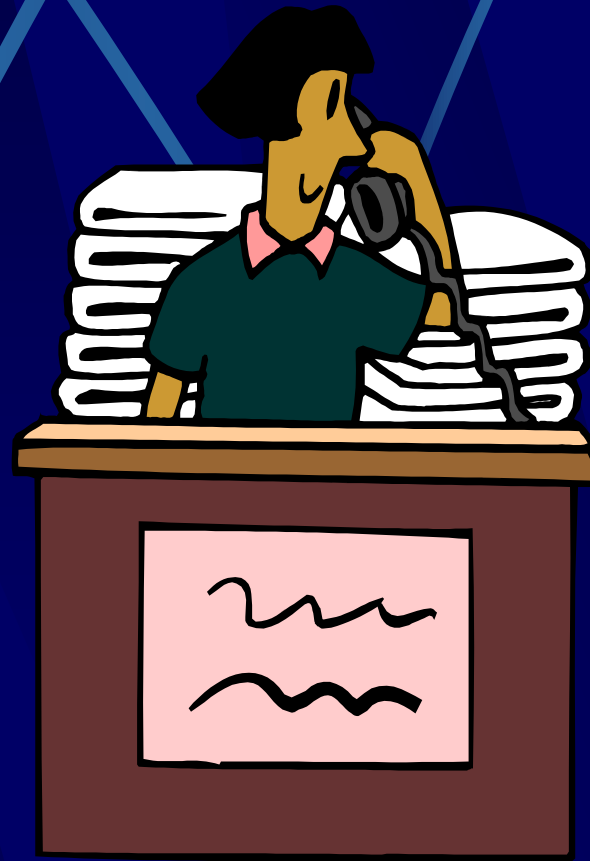
Multnomah County Public Guardian and Conservator

Mission:

Provides court-ordered protection for adult victims of abuse, neglect and financial exploitation while enhancing personal choice and quality of life.

What We Do

- Information and Consultation
- Petition the Court
- Serve as Guardian and Conservator



Alternatives

- Case/care Management
- Protective Services
- Money Management/Trusts
- Mental Health Services & Civil Commitment
- Financial Powers of Attorney
- Advance Directive /POLST
- Ethics Review
- Law Enforcement
- MDT Approach
- Supported Decision Making

OAR 411-365-0200
Developmental
Disabilities

ORS 127.635 Health
Care Surrogate for Life-
Sustaining Procedures

ORS 127.700
Declaration for Mental
Health Treatment

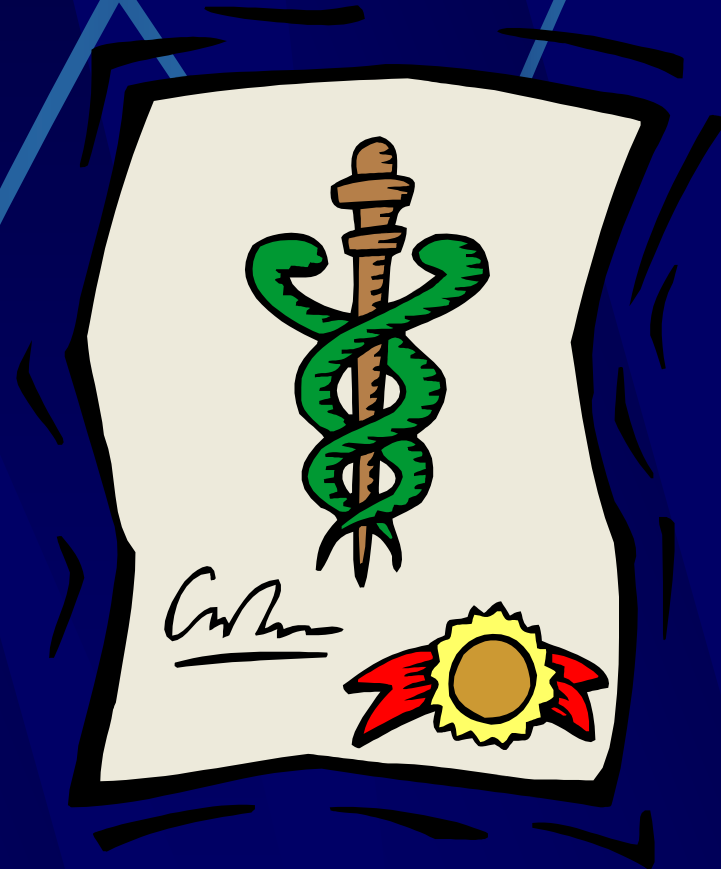
ORS 127.760 Consent to
Health Care Service by
Person Appointed by
Hospital

Incapacity

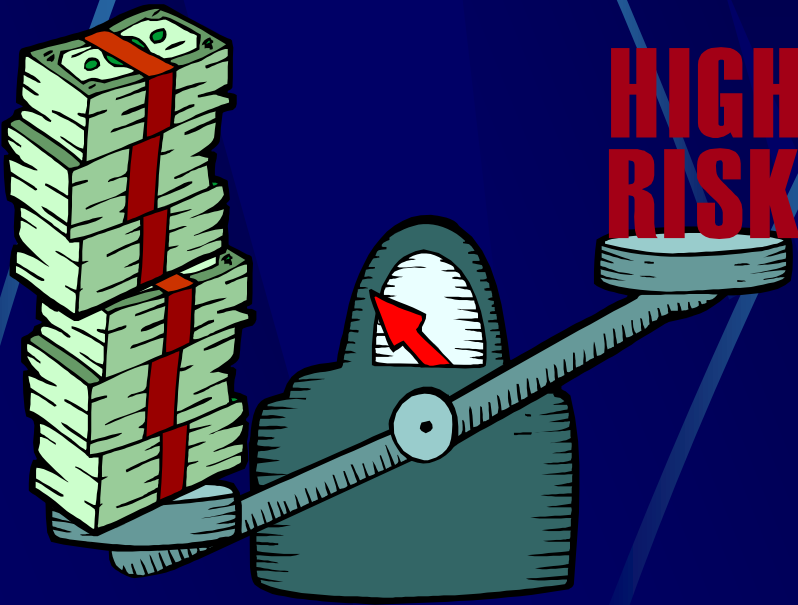
- **Condition or impairment:**
 - ◆ Exists presently and is likely permanent
- **Unable to provide for basic needs:**
 - ◆ Functional impairments (ADL)
 - ◆ Physical health and safety
- **Serious harm, physical injury or illness likely**
- **Necessary to provide care and supervision**

Guardianship

- **Incapacitated**
- **Legal relationship**
- **Authority**
 - Living arrangements
 - Health care decisions
 - Promote and protect well-being
 - Manage income and minor assets
- **Promote maximum self-reliance and independence**



Temporary Fiduciary aka “Emergency Guardianship”



- Incapacitated and/or financially incapable
- Immediate and serious danger to life, health, assets
- Person's welfare requires immediate action
- 30-day period; 30-day extension

Role of the Fiduciary

- **Person-centered planning**
- **Supported decision-making**
- **National Practice Standards and Ethical Decision-Making Guidelines**
- **Certification/Qualifications for Professional Fiduciaries:**
 - Registered Guardian – Center for Guardianship Certification

Legal Process



- **Petition**
- **Notice**
- **Court visitor**
- **Objections**
 - Appointment of Counsel
 - Mediation
 - Hearing
- **Letters/Judgment**
- **Monitoring**

Eligibility and Program Criteria

- Age 18 and older
- Multnomah County resident
- No family or private sector resource willing and able to serve
- High risk of abuse, exploitation, loss of life, or health
- Less restrictive intervention not available
- Viable plan to protect and serve the individual
- Meets Oregon Revised Statutes, Probate Court, and program standards for incapacity

Referrals



- Consultation/triage for urgency and risk
- Multidisciplinary team approach
- Professional assessments/
documentation
- MCPGC Worksheet
- Plan?!
- Process involving assessment,
documentation, legal proceeding

Resources

- **Aging & Disability Resource Connection**
 - Web: www.adrcoforegon.org
- **Adult Protective Services**
 - DHS/APD 1-855-503-7233
- **Local Circuit Court Probate Dept.**
 - Report concerns about guardian/conservator
- **Guardian Partners**
 - Web: www.guardian-partners.org
 - Training for lay fiduciaries
- **Multnomah County Public Guardian and Conservator**
 - Phone (503) 988-4567
 - Web: <http://multco-publicguardian.org>

State and National Resources

- **WINGS (Working Interdisciplinary Network of Guardianship Stakeholders)**
 - Web: www.wingsoregon.org
- **Guardian and Conservator Association of Oregon**
 - Phone (503) 241-6009
 - Web: www.gcaoregon.org
- **National Guardianship Association**
 - Phone (520) 881-6561
 - Web: www.guardianship.org

