



An affiliate of the National Guardianship Association

Information and resources for individuals, family members, and professionals about Guardianship and Conservatorship.



Welcome to the Massachusetts Guardianship Association

The Guardian

March 2015

Note from the MGA President....

Happy spring! I'm sure everyone is as thrilled as I am to see the snow starting to melt and to hear birds chirping in the morning. This is our second edition of our new format of "The Guardian." I welcome and encourage feedback from our members regarding the new format.



Sarah W. Peterson, Esq.



Membership

I would like to apologize for some difficulties we have been experiencing with our new online payment and registration process. I have heard from several folks who tried to register online but the system did not work well. We are working toward implementing a new online system for registration and payment. In the

meantime we have reverted to the "old-fashioned" way of doing things, and are encouraging registrations by mail with payment by check. Please note that we have a new mailing address: MGA Membership, P.O. Box 320621, West Roxbury, MA 02132. Information on registration can be found [here](#). If you are concerned that your membership application or renewal was not processed properly, please do not hesitate to reach out to me by email at sarah@zalkinlaw.com Thank you for your patience as we work out these issues.

Your membership and continued support are vital to the success of the MGA bringing quality programming and information regarding guardianship and conservatorship.



MGA in the Community

MGA board members presented at this year's Federation for Children with Special Needs Annual Conference held Saturday, March 7 at the Seaport World Center. Sarah Boonin, Esq., Kathy Ryan, Charlie Lynch and Sarah Peterson, Esq. presented "Questionable Decision-Making Ability: Exploring Guardianship and Other Options Available." The well-attended workshop had a lively discussion and the presenters fielded a ton of questions. We hope to continue to present information and answer questions at this conference in the years to come.

As mentioned in the last newsletter, the MGA will be offering a conference series this fall in collaboration with the Social Law Library. The four-part series will explore complexities, challenges and unanswered questions regarding Substituted Judgment/Rogers Cases, Financial Issues, End of Life/Life Sustaining Treatment, and Ethical Issues. We will be releasing the dates, times and speakers for the conference series in the coming weeks. We will also be offering discounted admission prices to MGA members.



Legislative and case law updates

ABLE Act provides new planning tool for parents of children with special needs. The Achieving a Better Life Experience (ABLE) Act, signed into law on December 19, 2014, amended the federal tax code so that eligible individuals with disabilities can establish accounts which will provide greater control over spending for qualified disability expenses, while protecting eligibility for Medicaid, SSI and other federal benefits. For more information on the ABLE Act, click [here](#) to check out the NDSS website.

Right to counsel for parents in guardianship cases relating to their minor children
In the recently decided case of Guardianship of V.V., 470 Mass. 590, the Massachusetts Supreme Judicial Court (SJC) has held that a parent of a minor child has a right to counsel when someone other than the parent seeks to have himself or herself appointed

as the child's guardian. The SJC noted that while a guardianship does not end parental rights forever, those rights are held in abeyance for the duration of the guardianship. The court will provide counsel for parents who are indigent, regardless of whether or not the Department of Children and Families or a licensed child placement agency is a party. For the complete text of the decision go [here](#).

We very much look forward to meeting you at one of our upcoming events!

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