

The Value of a Family Guardian

By **Barbara M. Ellis, RN, BSN, BSHRM, CCM, NCG Family Guardian**

The View From Within

Family guardians are as diverse as the professional guardians I have come to know. We come from various backgrounds, educational levels, and areas of expertise as we enter the secret world of guardianship, yet few experiences can prepare us for the role of guardian.

Our entrée into the legal world is the first and possibly the only contact we will most likely have with the court system as a result of a life changing event that initiated the guardianship. What can prepare us for the circumstances that precipitated the guardianship in the first place? How does one prepare for the birth of a developmentally challenged child, the sudden onset of schizophrenia, a tragic accident, or the incapacity of a parent secondary to a stroke or the onset of Alzheimer's disease? Only professionals experienced in dealing with these catastrophic events have any preparation, and they too discover that all of their knowledge and expertise may not prepare them when they are faced with their own personal tragedy. This view from the other side, a membership we would prefer not to belong to, becomes our reality.

In guardianship, we are expected to honor the values, beliefs, and preferences of the incapacitated person (IP). At the onset, we may be clueless as to guardianship law, but we are not clueless as to the concept of quality of life. Our strength lies in the lifetime of memories and intimate contact that is unique to family guardians. We have continuity and share the "view from within" that the rest of the system members may not have from their perspective. As family members, we bring to the table a personal decision-making history that is relevant to the process.¹ We are focused on one person for the duration of our guardianship and can concentrate on the laws and case management aspects specific to our family member. Successful family guardians can overcome the obstacles, educate themselves, take advantage of the learning opportunities within their community (if available), and ultimately provide a better life for their family member. For the family guardian, our support within the legal system lies in our guardianship attorney who is the critical link between the court system and our family member under guardianship.

Adapting to the Role

For family guardians, responsibility and accountability may have begun long before the legal determination of incapacity and is colored by our unique family dynamics, values, coping styles, and decision-making abilities.² For some of us, our lives have been transformed by the responsibilities of surrogate decision-making and advocacy prior to judicial determination. Adapting to this legal intrusion, expense, and documentation is an added responsibility and is often difficult for family guardians. We must now attempt to comprehend the essential functions of guardianship because our relationship with our family member is integrated, so family responsibility and guardianship responsibility can often become blurred. As family guardians, we must learn how to separate these two obligations to comply with the requirements of the court. Ideally, integrating the legal requirements with a view from the court that guardianship is a transitional event that alters the family structure beyond the guardian/IP relationship may lessen the trauma felt by many family guardians.



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Applying the Principles

The Standards of Practice and Model Code of Ethics from The National Guardianship Association (NGA) serve as principles to guide all guardians in performing their duties. These standards address both the duties and the responsibilities of a guardian, assist us in the decision-making process, and are applicable to professional as well as family guardians.³

Applying the principles and ethics that guide us in guardianship, there are five concepts that have always guided me in my role as my sister's guardian.

(1) Include my sister in the decision-making process. I did not remove any of her decision-making rights (despite the plenary authority). She not only trusts my judgment, but she expects me to take care of the important, complex issues that she cannot manage as well. We function in partnership, each having input into the decision-making process.

(2) Appropriately monitor or control my sister's income and assets to provide her with services and subsidies to maintain the quality of her life. The law states that we are not to commingle assets, but this is not always possible in family relationships or family guardianships. Family guardians often supplement their own funds to meet the needs of their family member under guardianship.

(3) Advocate as her champion within the legal and case management aspects of guardianship which include coping with difficult family dynamics. This translates into providing the least restrictive, most therapeutic lifestyle which promotes autonomy and independence, within my power, with the cooperation of my sister. I realize that compliance by the family member under guardianship is not always possible, but it is critical in our relationship to maintain her independence.

(4) Maintain a relationship with our attorney to follow the legal principles of guardianship and relevant state statutes. Keep him informed of the case management decisions being made on her behalf while complying with the rules and regulations within the system.

(5) Document my efforts and responsibilities with annual reports and accounting, not only to fulfill my obligations but to serve as a benchmark to excel in guardianship management.

Contributions of a Family Guardian

The benefits of family member guardians are far reaching. The court prefers family guardian appointments over professional guardians if there is an appropriate family member to step forward. We are most often not compensated, are cost-effective, care about our family member under guardianship, and our decisions are based on knowledge of their wishes, or empathy based on affection.⁴

Focusing on the value of a family guardian, I have

outlined eight areas of importance to consider in family guardian relationships.

(1) **Continuity.** We know our family member under guardianship and likely have a lifetime of knowledge to apply to the decision-making process which cannot be duplicated. We may be the only person who views *their* lives from their perspective in *their* environment in the entire system. We may live with them or stay with them for extended periods, and we can walk them through their day so they can become proficient in their confidence level to accomplish a goal or to represent themselves as independently as possible. Our presence, whether in person or via telephone throughout the day, can significantly contribute to their stability and quality of life.

(2) **Lifetime advocate.** Advocating for our family member may have begun long before our appointment as guardian. This becomes an invaluable service in times of crisis, when dealing with complex issues, or during a hospitalization. We can assume the role of inpatient and outpatient advocate while focusing our attention on our one and only client. Our consistent presence can make a huge impact on their plan of recovery by addressing issues that present themselves as they occur and by addressing their spontaneous comments and concerns.

(3) **Application of the substituted judgment principle.** To preserve independence and autonomy for our family member under guardianship, it is necessary to understand their expressed needs and wishes as well as their ability to make decisions.⁵ We may need the court's approval to use creative ideas and methods that do not close the doors in areas that would promote independence and autonomy. When an individual is functionally competent despite the judicial determination of incapacity, applying the principle of substituted judgment may be less applicable than applying the ethical principle of self-determination. Intermittent incapacity exhibited by some of our family members under guardianship may require that we formulate a more flexible approach than traditionally used, but we are honor bound to do so by our legal responsibility.

(4) **Representation as a family member.** Only family guardians can represent themselves as family members. By representing ourselves as parents, siblings, or adult children rather than as guardians, we can protect confidentiality, self-esteem, and avoid the stigma of being under guardianship. This advantage is even more important in both social and employment relationships.

(5) **Living arrangements.** Only family guardians can live with their family members. Our extended visits, if they live independently, are not limited to socialization, however important, but can assume the professional level of assessment and intervention when appropriate and constitute their major support system.

(6) **Case Manager/ Mentor.** The system may not see case management as our family responsibility, but it is the reality we face as family guardians. Coordinating all of the major and minor aspects of their lives is a big responsibility and is time-consuming. We are often coordinating, monitoring, *and* providing services to our family member. In addition, we provide assistance with practical problems in living and skills training targeted at social and functional levels.⁶ This comprehensive case management role has a major impact on effective family guardianship.

(7) **Financial supporter.** We can extend their assets by providing our services at no charge and by paying for services that they could not otherwise afford. We can also solicit funds from other family members to contribute to their support.

(8) **Latitude.** We can give them latitude with finances and decisions. The court sees us as legal guardians, but they will always see us as family members and expect us to compensate in a multitude of ways that affect our family relationships.

Reflections and Food for Thought

As I reflect on my twenty-one years as a family guardian, I realize that the court has given me legal responsibilities that grant me control over the major aspects of my sister's life. We requested this protection, not to take away her decision-making rights, but to give her someone who could legally intervene on her behalf. Many doors would have been closed because of confidentiality if I could not speak for her or advocate when appropriate.

For us, guardianship is neither a restriction nor an intrusion designed to remove her decision-making abilities. It is the difference between stability and instability, independence versus living in a more sheltered environment, and employment versus the poverty level of SSI. This legal commitment has removed the chaos from my sister's life, unburdened her from responsibilities she does not have the capacity to accept, and given her freedoms and a quality of life that she did not enjoy previously.

If there is one thought I could leave with you, it would be that there are good family guardians performing their duties without the benefit of formal guardianship education and sometimes without the support of our own families. We often educate ourselves, devote our lives to providing a quality life for our incapacitated family member, and often go unnoticed by the guardianship network except through the eyes of our family member and guardianship attorney. We often go unnoticed by the system as well as our society in this secret world of guardianship. It may not seem so secret to you, but to family guardians who are often isolated from each other as well as other professional guardians, this isolation is real and can add to our difficulties with this challenging role we have accepted.



About the Author:
Barbara Ellis earned a bachelors degree in nursing and management. Ms. Ellis is a certified case manager, a national certified guardian, and a family guardian. She is a member of both NGA and MGA, has been involved

with MGA since its inception and is a member of the MGA Board of Directors.



Geriatric Care Management: A Hidden Resource

**By Kate Granigan, LICSW, C-ASWCM
Certified Geriatric Care Manager**

Assuming guardianship, whether as a professional or as a family member, can be an overwhelming task. There may be times when you might feel unprepared to make the necessary decisions that are required of you, and realize that having your own consultant may make the process easier. There may be times when you cannot be present, and wish you had a trusted person that could stand in your place, give you accurate information necessary to make your decisions on behalf of the individual, and have peace of mind that, despite your absence, you know that things will be taken care of. Understanding the role of a Professional Geriatric Care Manager as a trusted advisor can be critical as you move through the journey of guardian.

Even before guardianship is necessary, and in some cases to avoid the need for guardianship, Professional Care Managers can be an invaluable resource for families and individuals navigating the maze of services, medical systems, and choices they may be facing. Long before a person requires guardianship, there are many proactive ways that a Professional Geriatric Care Manager can assist in helping understand options to meet individual and unique needs. A Care Manager can also assist in a temporary crisis due to medical illness or incident which requires hospitalization or short term rehabilitation. A Care Manager can act as an advocate who understands the systems and who can assist on your behalf to ensure the best possible outcomes.

What is a Professional Geriatric Care Manager?

A Professional Geriatric Care Manager (GCM) is a professional in the field of aging and disability, often licensed as a social worker or nurse. These professionals can be hired as an independent resource to advocate and assist in navigating through all of the information and decisions related to aging. A GCM can assist with guiding family members and/or guardians through the hospital system, with health insurance questions, rehabilitation needs, home care, as well as provide a support to individuals during an often overwhelming time.

A GCM can be helpful to professionals who interact with the aging and disabled population by serving as a resource, advocate as a liaison throughout the continuum of care. Often professionals such as direct care providers, attorneys or guardians are not aware of the benefits of having a GCM. However, this service can be incredibly beneficial for continuity of care as well as to ensure the best possible outcome for the elder/disabled person.

A GCM can act as an independent consultant to assist in evaluating and arranging for needs of an individual under the care of a guardian. This can include housing, medical, social and emotional, and any other on-going needs to ensure the best possible care and outcome. A guardian often is responsible for making decisions regarding issues that may be unfamiliar and a GCM can serve as a consultant by offering assessments, reports, and other information to make the decisions easier.

GCM services are typically paid for privately, similar to that of a financial or legal advisor. In some cases, long term care insurance may cover some of the cost. Many people hire a GCM to assist with developing a plan for the needs of a loved one, and often continue to utilize the GCM as an advocate and consultant as changes and needs arise. This proactive approach often can reduce the likelihood of costly and often unnecessary drain on resources due to crisis.

A GCM can also be an invaluable resource if the loved one is out of the area or even is in another state. The GCM can be the “eyes and ears” and monitor and report back any needs or concerns if the guardian or family member cannot be there themselves. To locate a GCM, visit the website for the National Association of Professional Geriatric Care Managers at www.caremanager.org.

Due diligence is required when hiring a GCM to ensure that the guardian or family member is getting what they expect and to have the best chance for a strong and successful working relationship. Not all GCMs are created equal so it is important to understand prior to hiring, the areas of expertise, level of experience and educational level of the GCM. As of January 2010, the National Association of Professional Geriatric Care Managers now requires certification to classify oneself as a Certified Care Manager as a member. This was meant to help consumers find care managers with a consistent and documented level of qualifications and experience.

There are a number of important questions to ask prior to making a choice in hiring a GCM. It is important to ask about experience and areas of expertise, price structure and fees, extent of coverage including emergency and night and weekend coverage. It is appropriate to ask for recommendations from individuals and professionals that have had experience working with the GCM. Remember, this is an individual that one may need to rely on in difficult times or crisis, so doing the research at the outset will ensure that it is a good match which may reduce any surprises later when he/she is needed the most.

GCMs are becoming a valuable resource and are gaining recognition and mention in publications such as the New York Times (*When Dementia Drains the Pocketbook*, February 28, 2011), Forbes Magazine (*Retirement Planning and its Challenges for Women*, February 9, 2011) Wall Street Journal (*Money Matters for Long Distance Caregivers*,

January 21, 2011), USA Today (*Having the Conversation with Aging Parents Before the Crisis*, December 15, 2010). The National Association of Professional Geriatric Care Managers website offers articles and news clips in the “News Room” section, as well as information on hiring a GCM, and the opportunity to locate a care manager near you by zip code.



About the Author:
Kate Granigan, MSW, LICSW, C-ASWCM, is the Vice President of Overlook C.A.R.E., a non-profit Geriatric Care Management organization affiliated with the Overlook VNA and Masonic Health Care System of Massachusetts. Ms. Granigan has over 15

years of experience in geriatrics and is a member of the National Association of Professional Geriatric Care Managers, is the immediate past president of the New England Chapter and is a member of the MGA Board of Directors. She can be reached at (781) 588-0296 or by email at kgranigan@overlook-mass.org.



Legislative Testimony to Establish a Public Guardianship Commission

By Eileen Sullivan-Boss, Esq.

On May 18, 2011, the Joint Senate and House Committee on the Judiciary heard testimony on Senate Bill 755, An Act Establishing a Public Guardianship Commission. The Bill, sponsored by Senator Cynthia Creem, is not new to the committee, having been included in the Massachusetts legislative agenda every year for about twenty years. The bill would establish an independent Public Guardianship Commission appointed by the Supreme Judicial Court. The Commission would provide services as guardian, guardian ad litem, conservator, trustee, representative payee or treatment monitor for indigent, incapacitated individuals with no involved family or friends. The Commission would also foster volunteer guardianships by providing information and assistance to family and friends willing to serve and would be funded, in part, by gifts, grants, donations, bequests and fees for service.

I offered testimony in support of the Act, including anecdotal evidence of the benefits of guardianship and the hardship caused by the lack of a public guardian in Massachusetts. I informed the Committee that almost every other state in the nation has found a way to create and to fund some type of public guardian agency which we sadly lack. I spoke of personal experience and also of knowledge I have acquired through many years of involvement with both the National and Massachusetts Guardianship Associations.

A number of other bills were also scheduled for hearing that afternoon, including a bill to amend Massachusetts

family law concerning alimony. It was clear that the supporters of this bill were highly organized and it was obvious that efforts to see this bill through to enactment had been ongoing as Committee members recalled some of the testimony offered from previous years. Those of us committed to the establishment of the Public Guardianship Commission in Massachusetts should organize ourselves. We should begin by working with Senator Creem, who has demonstrated a genuine and sustained interest in the rights of mentally incapacitated citizens of the Commonwealth and support this bill which is an essential component of guardianship reform in Massachusetts.



Letter to the Editor: Guardianship Reform in Massachusetts: For Many, a Paradoxical Result

By Eileen Sullivan-Boss, Esq.

We were thoughtful, sustained our efforts over decades and finally enacted a reformed guardianship law but, sadly, the situation for many people in Massachusetts is not improved but actually much worse.

This is not true for everyone. The few and lucky mentally incapacitated people with financial resources are better protected. In fact, “protected” is how the law describes them. Whoever manages their money will need report to them and to the court on everything they have done every year, reducing the risk their funds will be misused or misappropriated.

People who have friends, family or professionals interested in serving as their guardian are also better off than they were before the law was enacted. The law guarantees that the subject of a guardianship proceeding receives notice of the process every step of the way. If they need a lawyer, the court will assure they have one, even if they cannot personally arrange for legal services. A legal determination of a person’s incapacity requires a doctor, psychologist or nurse practitioner to complete a detailed seven-page form which convinces a judge they need help making decisions. Even then, the law prohibits a guardian from interfering in those decisions the subject of a guardianship can still make for themselves. If a person under guardianship requires nursing home placement, the guardian will need the court’s permission to do so. Also, a guardian will need to report to the court every year on how the incapacitated person is doing and on how the guardian has been helping. Even when a person has well-meaning people who care about them and want to watch over them as guardian, those people will need to prove this type of advocacy is necessary and then keep the court updated on whether it continues to be needed and why.

The problem lies with mentally incapacitated people who have no money and no family, but then, this has always been a problem. They are often time consuming, needy and difficult to help. They are often homeless and may spend extended time in jail or in the hospital due to circumstances caused by their mental incapacity or untreated mental illness.

They may be medically involved, cognitively limited, brain injured or addicted. They may struggle through life unable to make informed decisions to provide for their own health and safety and, as they do so, they are an unnecessary and avoidable burden to the safety and economy of the citizens of Massachusetts.

It is unfortunate that we forgot about them when we were reforming our guardianship law. How could we have? Since we have deinstitutionalized many of our mentally incapacitated citizens they have been visible in our communities and seemingly unforgettable. We walk by many in our cities and parks, sleeping on the sidewalk or park benches.

Guardianship laws can and must assure the right to personal safety is available to everyone by providing for advocacy when it is needed. Our state and national constitutions guarantee rights to all of us, regardless of our intellectual capacity. Despite the current financial circumstances, the Commonwealth and municipalities find a way to provide police, firefighters and medical care for most of us. But what about those of us with no address, no phone and no way to arrange transportation to a hospital? Police protection and ambulance services are unavailable to those of us who cannot call for help and, even if we could, cannot provide them with an address to find us.

Guardianship services provide people with the help they need to engage in and contribute to their communities. With a guardian’s support and advocacy, many currently dependent Massachusetts citizens would be engaged in social rehabilitation and pre-vocational programs. Many currently homeless individuals would be assisted in securing public benefits and subsidized housing, when appropriate and necessary.

How can we provide guardians for our poor and abandoned citizens with mental incapacity? How can we find someone willing to work hard without compensation, twenty-four hours, seven days each week? Someone who will not expect time off on weekends and holidays? Someone who understands they will serve for the rest of their lives or until a judge accepts their request to resign? Someone who will write thorough and accurate reports to the court every year and keep in touch with the doctor and other service providers? Who will accept responsibility for a mentally incapacitated and vulnerable person with serious health and addiction issues or a record of criminal offenses, knowing it may expose them to personal liability for negligence or worse?

The simple answer is we have not and we will not. What we can do is enact the Public Guardianship Commission bill which has been before the Massachusetts legislature repeatedly for twenty years. We disregarded it when we were focused on tailoring the Uniform Probate Code for Massachusetts and should have included it in the guardianship reform agenda then. Maybe we thought we could not afford it, but we have used that excuse for twenty years, when the Commonwealth has been in financial crisis but also when resources were available. Almost every other state in the United States manages to pay for a public guardianship program. Maybe we should ask them how they do it. They fund programs, to some extent, with charges for services provided to people with adequate resources.

By John J. Ford, Esq.

The MGA is monitoring three bills currently pending before the Massachusetts legislature.

The Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act (UAGPPJA) – H 2181:

This bill was on a gigantic list which appeared before a hearing of the Joint Committee on the Judiciary on May 18, 2011. As indicated, Eileen Sullivan–Boss testified and, in light of the volume of bills on the list, was able to testify at long last around 8:00 p.m., to a select few committee members who remained. The Judiciary Committee has acted on the bill and it remains there.

The Uniform Probate Code Technical Corrections bill (SB 704):

This bill, too, was on the list for the marathon hearing on May 18th, and remains at the Judiciary.

The Public Guardianship Commission bill- S 755:

ditto.

MGA members are encouraged to contact their legislators or members of the Judiciary Committee, engage them or their staff in a discussion of the need for these proposed laws, and to ask for their support.

About the Contributor: John Ford is the Director of the Elder Law Project, Neighborhood Legal Services, Inc., is a member of the MGA Board of Directors, is Chair of the Legislative Committee, and is one of the MGA founders. 

They may also support their guardianship programs with the money they save by avoiding unnecessary and extended hospitalization and incarceration of the most vulnerable and needy adults in their communities.

Although it is hard to believe, we have worsened the plight of Massachusetts residents with no money, no place and nobody. There is an immediate need to fix this issue. We need to complete our guardianship reform in Massachusetts by enacting the Act to Establish a Public Guardianship Commission. It will improve our safety and reduce wasteful expenses from our state budget. Importantly, we must do so because we take pride in being citizens of the Commonwealth of Massachusetts.



About the Author:
Eileen Sullivan-Boss maintains her legal office in West Springfield, MA where she focuses her practice in the areas of protective legal services, probate and estate matters, and elder law. She has worked extensively in all aspects of protective legal services including service as a guardian and conservator, representation of guardians

and conservators and representation of the subjects of guardianship and conservatorship proceedings. Ms. Sullivan-Boss has been certified and is registered as a guardian with the national Center for Guardianship Certification. She was recognized for her efforts on behalf of disabled individuals by the Commonwealth of Massachusetts Department of Developmental Services in 2003 and by Highland Valley Elder Protective Services agency of Northampton, MA in 2009. Ms. Sullivan-Boss has been a long-standing member of the Board of Directors of the MGA and currently serves as Vice President of the organization. attesb@verizon.net 

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MGA NEW DEVELOPMENTS

7th Annual Guardianship Law Seminar: Co-Sponsored with the MGA and Suffolk University Law School: Successful Strategies for Avoiding and Litigating Guardianship Issues

The seminar will be held on Friday, November 4, 2011, 9:00 a.m. - 4:30 p.m. at Suffolk University Law School. A panel of judicial, medical and legal experts will be presenting on a variety of topics including: How the MUPC Impacts Litigation, Addressing Reasons for Avoiding Litigation: Costs, Financial, Emotional, Distraction from Respondent's Needs, MUPC Provides Opportunities for Negotiation & Mediation, and How to Prepare for and Succeed in Litigation.

For more information on how to register, please contact the Advanced Legal Studies at Suffolk University Law School: (617) 573-8000.

INFORMATION AND RESOURCES

Revised and Expanded “Guardianship Information” on the MGA website

We hope that you have had the opportunity to view the question and answer topics regarding Guardianship of an Adult, Guardianship of a Minor, and Conservatorship of an Adult and Minor newly added to the Guardianship Information page on the MGA website. The feedback from our readers has been very positive and we have received many suggestions for future topics.

Asincerest thank you to the guest contributors who generously shared their expertise and resources: Veronica Serrato, Esq.: Guardianship of a Minor and Conservatorship of a Minor; Gary Zalkin, Esq., LICSW: Substance Abuse and Guardianship; Elizabeth Baum, Esq.: Conservatorship of an Adult; MGA Board Member, Kate Granigan, LICSW, C-ASWCM: Geriatric Care Manager: A Resource for Guardians; MGA Board Member, Elise Kopley, Esq.: Intellectual Disability and Guardianship; and MGA Board Member, Joanne Erickson, Esq.: Expanded Rights and Protections for Adults with Disabilities. These topics can be found on the MGA website at www.massguardianshipassociation.org.

The MGA website will be updated monthly with additional question and answer topics. If you would like to suggest a topic, please contact Ellen M. DiPaola, Esq. at edipaola@comcast.com or (781) 642-0454.

MGA AMICUS BRIEF

As many of you may know, a decision has come down from the Massachusetts Supreme Judicial Court (SJC) on the guardianship matter in which MGA Board Members, Ellen DiPaola, Esq. and Kristen Lambert, Esq. on behalf of the MGA, submitted an Amicus Brief. (*Guardianship of Erma*, 459 Mass. 801, 2011 Mass. LEXIS 360 (2011)). By the time the matter was heard by the SJC, the person who was the subject of the case had already been receiving the recommended treatment. As such, the issue before the court was considered moot and was not decided. However, the SJC ruled that a party who was seeking a substituted judgment treatment order must provide all parties with at least seven days notice through a service of a copy of the motion submitted and also through notice of all affidavits in support of the motion. This presumably includes the Medical Certificate/Clinical Team Report and Clinician's Affidavit and Treatment Plan. All parties could include family members, ie. any interested party. This could certainly raise issues with respect to the person's right to privacy in light of the fact that these medically sensitive documents could be sent to family members.

NEW AND NOTEWORTHY

MGA President, Judith M. Flynn, Esq. has been nominated and chosen as a “Top Woman of Law” by Massachusetts Lawyer’s Weekly. She was selected due to her outstanding accomplishments within the legal community. She is one of only 119 women chosen over the last three years.

The Video Production Committee comprised of MGA President, Judith Flynn, Esq. and MGA Board Member, John Ford, Esq. have worked with Judith Lennett, Esq., Executive Director of Northnode, Inc. and in collaboration with Massachusetts Probate Court Chief Justice Carey’s office, to develop an interactive training video that will be accessible to family guardians and professionals. As a result of these efforts and with the assistance of grant monies received from the Office of the Attorney General as well as funds procured by the MGA, it is anticipated that 300 DVDs will be produced for distribution to resources who can use the video to train potential or appointed guardians as well as other interested parties. This video was developed to be used with a curriculum to guide the discussion during the breaks in the video, and to answer questions raised by the trainer or those in attendance.

The video will depict an elderly woman who is hospitalized and may need a temporary guardian in order to admit her to a rehabilitation facility. It will dramatize the pressures on a caretaker daughter as she moves through the healthcare and judicial system, with the assistance of a geriatric care manager and an elder law attorney. The Committee finalized the script, hired a director, and just completed filming with some great local talent! A Red Carpet Premier is planned for the MGA Annual Dinner Meeting in December.

MGA Board Member, Kristen Lambert, Esq. and MGA member, William Brisk, Esq., along with Ilene Klein, Esq. have updated Massachusetts Elder Law, 2nd Ed., published by Matthew Bender Company, Inc., a member of the LexisNexis Group. This is a legal resource for practicing elder law in Massachusetts and set for release in November. Mr. Brisk is also one of the presenters at the upcoming 7th Annual Guardianship Law Seminar co-sponsored by the MGA and Suffolk University Law School. He will be co-presenting on the relevance of Durable Powers of Attorney and Healthcare Proxies, focusing on recent litigation.



FROM THE EDITOR

Kristen Lambert, Esq., MSW, LICSW

We welcome your feedback and input. Additionally, we are seeking contributions to future newsletters and developments of educational resources. Please contact editor, Kristen Lambert at kristen.lambert@awacservices.com.

The Guardian is an educational newsletter provided to the public by the Massachusetts Guardianship Association. The Massachusetts Guardianship Association is a non-profit organization which promotes education, training, and information on guardianship and conservatorship issues within Massachusetts. Each author is solely responsible for the statements of fact and opinions expressed in their respective articles. Information contained in the articles should not be construed as legal advice. The newsletter and articles contained therein may not be reproduced either in whole or in part without express, written permission from the Massachusetts Guardianship Association.

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