



Rethinking Guardianship: A Person-Centered Approach

7/1/2018 – 12/31/2019

<p>System Gap Addressed</p>	<ul style="list-style-type: none"> • Guardianship removes an adult’s rights to manage his or her life decisions and places those decision-making responsibilities with a court-appointed guardian. • Out of more than 5,000 adults in North Carolina who are served by a public guardian, nearly 3,000 (56%) are adults ages 18-59 years old, the majority of whom (85%) have an intellectual or other developmental disability (I/DD) and/or mental illness. • Existing guardianship laws, policies and procedures do not receive uniform interpretation and implementation across the State.
<p>Initiative Goals and Timeline</p>	<ul style="list-style-type: none"> • Further the work and extend the reach of the Rethinking Guardianship: Building a Case for Less Restrictive Alternatives initiative so that all stakeholders in the guardianship system are educated about guardianship, less restrictive alternatives to guardianship, best practices, and current and emerging statutory language. • Encourage more guardians to support individuals living in long-term residential facilities to transition into a less restrictive setting with less restrictive decision-making constraints. • Achieve successful legislative reform and help individuals understand the details of the legislative bill to engage in advocacy and self-advocacy and to address guardianship practice changes and implications.
<p>Description of Activities</p>	<ul style="list-style-type: none"> • Promote the ongoing work and sustainability of a steering group and the statewide workgroup. • Convene listening sessions with guardians focused on individuals living in long-term residential facilities to understand the guardians’ practices and how they make decisions for and with individuals in a guardianship arrangement and to educate them about guardianship resources, guardianship laws and proposed statutory changes. • Fold the lessons learned from the Rethinking Guardianship: Building a Case for Less Restrictive Alternatives initiative into a two-part Summit for these guardians and all other stakeholders to bring more attention to guardianship and the rights of people with disabilities to self-direct their lives. • Provide education around proposed legislative reforms in the 2019 long session, including plain-language materials to help people understand the bill and the need for reforming guardianship practices in North Carolina.
<p>Achievements and Outcomes to Date</p>	<ul style="list-style-type: none"> • Initiated working relationships with the Administrative Office of the Courts Government Affairs staff and the Executive Committee of the Conference of Clerks to set plans in motion for the Summit and the Legislative, Policy and Practice Task Force. • Invited new stakeholders to the workgroup who are active within the guardianship system as advocates and family members. • Shared Rethinking Guardianship resources with local media, including ABC11 in Raleigh, which highlighted a family’s story and made reference to the importance of the Rethinking Guardianship initiative.

Rethinking Guardianship: A Person-Centered Approach (continued)

Achievements and Outcomes to Date

- Continued to update and publicize the Rethinking Guardianship website: <http://rethinkingguardianshipnc.org>
- Finalized and publicized “Rethinking Guardianship: An Introduction to Options” brochure in both English and Spanish.
- Supported eight clerks to attend the National Guardianship Association Conference in Palm Springs, California in October 2018.
- Hosted a two-part summit. Approximately 40 people participated in the first part in Greensboro on November 30, 2018. Nearly 280 people attended the second part in Raleigh on February 25, 2019. Keynote speaker Erica Wood of the American Bar Association spoke about WINGS – Working Interdisciplinary Network of Guardianship Stakeholders – activities around the country.
- Drafted proposed revisions to North Carolina General Statute 35A that formed the basis of two bills (HB 619, which passed in May, and SB 337) to establish a workgroup to study and recommend changes to 35A.
- Wrote a section of the NCCDD-sponsored *Supported Living: Making the Difference* initiative Guidebook titled “How Do We Support People in Making Decisions?”
- Completed surveys for Department of Social Services (DSS) attorneys and both public and private guardians of individuals living in institutions. The results showed that a perceived lack of community services and concerns about safety make up the biggest barriers to guardians supporting transitions to the community.
- The American Bar Association’s BIFOCAL May-June 2019 newsletter published an article on this initiative.
- Hosted listening sessions for guardianship professionals and for family/private guardians in Durham and Wilmington in September 2019 to better understand the barriers to supporting transitions to community living.
- Facilitated training programs and provided Rethinking Guardianship resources to more than 30 Cardinal Innovations Care Coordinators.
- Assembled and convened NCGS 35A writing team to draft and complete proposed revisions by the spring of 2020.
- Featured Indiana Supported Decision-Making process and Oregon WINGS presentations during August and November 2019 statewide workgroup meetings.

Expected System Change as Result

- Continue to build a sustainable infrastructure to effect long-term changes in North Carolina’s guardianship system that respects the rights of individuals in a guardianship arrangement and those facing guardianship.
- Secure North Carolina General Assembly amendments to policies (NCGS 35A) that promote less restrictive guardianship alternatives as appropriate.
- Provide educational resources to make individuals and families aware of the guardianship process and less restrictive alternatives.
- More individuals with I/DD, mental illness and other disabilities will have greater capacity for supported decision-making and more control over their individual lives.