

The Indiana Adult Guardianship Office serves as a resource for courts, judicial staff, and grantees to receive quality information on the guardianship process and tools to maintain a functioning and effective guardianship system overall. We also work with lawyers, guardians, protected persons, and members of the public to provide education and information on guardianship and alternatives, helping to improve the efficiency of our guardianship network.

I am the staff attorney for the Adult Guardianship Office. Prior to this role, I was a staff attorney for a legal aid society, working directly with clients with intellectual and developmental disabilities. My project addressed decision-making needs with clients and their families, including adult guardianship, guardianship termination, and supported decision-making. My interest in guardianship started at a young age when I watched his mom care directly for my grandfather. He experienced a rapid decline in health that affected his ability to handle financial planning, health appointments, and daily decisions. I watched as my mom navigated my grandfather's care and helped him live independently for as long as possible with support from an area agency on aging. I knew that not all seniors were fortunate enough to have a caretaker like my mom. This inspired me to focus on careers that emphasized the importance of helping others, particularly caregivers and families.

Ten years ago, the Adult Guardianship Office supported and funded a Guardianship Registry for local courts. This online system allows for public access to verify guardianship information. It also serves a behind-the-scenes function in case organization and supporting courts to gather guardianship data. This system is important because it provides timely and important data on guardianships and promotes uniformity in entry of guardianship cases into our e-filing system. It also allows a judge access to search tools, including petitioner caseloads in other counties, to help inform a pending guardianship decision in their court. There are law enforcement officials throughout the state who can also use the Guardianship Registry to ensure the safety of protected persons through timely access to demographic and contact information. Banks and financial entities can also check our Registry to confirm a legal guardianship and ensure proper access to funds and financial management overall.

The Adult Guardianship Office also oversees, funds, and supports 20 local volunteer advocate programs. These programs (known as volunteer advocates for seniors and incapacitated adults, or VASIA) work on the local level with county courts to address the needs of people in their communities who require guardianship services but do not have suitable family or friends to take on that role. The VASIA programs currently cover 52 Indiana counties, with plans to expand into unserved and underserved areas in the future. Our office requires adherence to Indiana law and encourages programs to follow the National Guardianship Association (NGA) standards of practice. Every VASIA program is required to have at least one nationally certified guardian on staff to ensure that these standards are implemented effectively in the volunteer services they provide. There are also requirements about staff-to-volunteer ratios and ensuring that programs take on reasonable caseloads.

The Adult Guardianship Office was a crucial part of a grassroots taskforce to address supported decision-making and less-restrictive alternatives in our state. This task force, which incorporated our working interdisciplinary network of guardianship stakeholders (WINGS) group recognized by the American Bar Association, showed the power of local organizations working together to effectuate state-level change. In 2019, Indiana became one of a handful of states at the time to legislatively recognize Supported Decision-Making as state law and to encourage less restrictive alternatives to guardianship. This new law also created a requirement for courts to consider less-restrictive alternatives before ruling on a guardianship petitions.

Last year, the Adult Guardianship Office applied for the ACL “Improving Adult Guardianship” grant for 2023-26. Though we were not selected for this opportunity, we have been working on ways to implement our ideas from the grant with the funding we have available. This includes a statewide adult guardianship educational system (based on a model in Ohio), which we hope to launch as a pilot program to help courts ensure that family and professional guardians are given proper introductory and ongoing education about their roles and duties. We are also considering a law school clinic program that would link students (through supervision by an attorney) to local courts to serve as guardians *ad litem* (GALs). The GAL process in Indiana ensures that the best interests of the protected person are served and appropriate levels of decision-making supports are put in place. GALs can investigate less-restrictive alternatives and help ensure compliance with state law and best practices. For counties and communities that might traditionally have a hard time recruiting suitable GAL candidates, a law student clinic could provide the necessary staffing for this process to be successful in the future.

Looking forward, there are many ways the Adult Guardianship Office hopes to be part of the solution to complex issues in our state. We are working with our technology team at the court to expand the functionality of the Guardianship Registry, including new ways to search the public system to more easily view the number of cases a guardian has throughout the state. We are also piloting an accounting system (based on a model in Minnesota) that would allow for uniform filing of guardianship inventories, accountings, and reporting, particularly for people without legal counsel who are serving as family guardians. The GAL program proposed in our ACL grant could be utilized to provide training and supervision to a network of available GAL candidates from a multitude of professions, including social workers and health professionals. The clinics envisioned with educational stakeholders could also be expanded, perhaps having students serving additional roles (including law students as direct representatives for protected persons in guardianship proceedings).

Just this month, the Indiana Supreme Court approved a judicial conference committee devoted to the topic of adult guardianship. This shows the strong judicial leadership and commitment that the Indiana judiciary provide and the critical role they play in finding solutions to issues facing our state. The new committee will meet this summer to develop an action plan for implementing improvements and innovations overall.

The Indiana courts have the proven ability to convene multiple stakeholders and bring organizations and governmental entities together to address problems head-on. Indiana has strong support and commitment from Chief Justice Loretta Rush, which will allow our Adult Guardianship Office to serve its traditional functions and expand its outreach into new areas in the coming years. Though there is room for improvement in Indiana, we have a strong working network of guardianship stakeholders that are willing and able to tackle issues that come up in our state. Grassroots organizing and local input have been successful in the past, including task force recommendations (creating the Adult Guardianship Office, Guardianship Registry, VASIA programs, and supported decision-making law). We hope that similar working groups at the state and local level will help implement changes and improvements uniquely suited to the needs of our communities and for all involved in the system. We look forward to discussing the strengths and experiences of our state and to share our thoughts for the future of guardianship programming and innovations.