Do You Have Stories of Multi-State Guardianship Problems and Successes?

**WHAT:** The American Bar Association Commission on Law and Aging (ABA Commission) continues to look for stories about how multi-state guardianship problems affect the lives of vulnerable individuals and their families, especially stories involving elder or adult abuse. New stories will be added to the Commission’s charts of “Multi-State Guardianship Jurisdiction Stories Supporting Need for the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act (UAGPPJA),” which are available online at www.abanet.org/aging/guardianshipjurisdiction.

**WHAT ELSE:** If your state has passed the UAGPPJA and you have success stories to offer, these will be helpful in advocacy in other states.

**WHY:** Adult guardianships often involve more than one state, raising complex jurisdictional issues. For example, many older people own property in different states. Family members may be scattered across the country. Frail, at-risk individuals may need to be moved for medical or financial reasons. Thus, judges, guardians, and lawyers frequently are faced with questions about which state should have initial jurisdiction, how to transfer a guardianship to another state, and whether a guardianship in one state will be recognized in another. Such jurisdictional issues can take up vast amounts of time for courts and lawyers and can cause cumbersome delays and financial burdens for family members. Jurisdictional tangles can bar timely medical treatment for incapacitated individuals and can exacerbate family conflict. Moreover, lack of clear jurisdictional guideposts can facilitate “granny snatching” and other abusive actions.

To address these challenging problems, the Uniform Law Commission in 2007 approved the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act (UAGPPJA). The UAGPPJA seeks to clarify jurisdiction and provide a procedural roadmap for addressing dilemmas where more than one state is involved. States that have enacted the law can begin to reap the benefits in efficiency, cost savings and easing burdens for family members.

The UAGPPJA cannot work as intended -- providing jurisdictional uniformity and reducing conflict -- unless all or most states adopt it. Your stories about how multi-state guardianship problems affect the lives of vulnerable individuals and their families can make a real difference!

**HOW YOU CAN HELP:**
(1) Send your stories to the ABA Commission at ericawood@staff.abanet.org.

(2) Indicate whether the ABA Commission staff may share your name and contact information with the Uniform Law Commission staff. They may contact you regarding legislative advocacy within your state. ABA staff will not share this information without permission; we don’t want to discourage anyone from sending stories.

The ABA Commission received support in 2008 – 2009 from the ABA Section of Real Property, Trust and Estate Law; the American College of Trust and Estate Counsel Foundation; and the Uniform Law Foundation, and continues to work for uniform guardianship jurisdiction. For more information about the UAGPPJA visit www.abanet.org/aging/guardianshipjurisdiction and http://www.nccusl.org/nccusl/ActSearchResults.aspx.