

## Who are WINGS Problem-Solving Stakeholders?

- Courts and judicial leaders
- State agencies on aging
- Protection & advocacy agencies representing individuals with disabilities
- Developmental disabilities agencies
- Adult protective services
- Attorneys, bar associations, and legal services programs
- Health, long-term care, and behavioral services agencies
- Social Security representatives
- Professional and family guardians
- Self-advocates
- Others

## What Wings Do

- Educate the public about decision-making options and decision support
- Help family guardians through standards, training and assistance
- Promote better assessments of individual limitations and needs for support
- Advance person-centered and supported decision-making principles
- Push for strong court oversight, auditing and data collection
- Develop channels for complaints
- Identify and confront abuse
- Break down professional silos

## States with WINGS

About half the states have, or have recently convened, WINGS or a similar guardianship reform partnership.

- The U.S. Administration on Community Living, through a grant to the American Bar Association Commission on Law and Aging, in collaboration with the National Center for State Courts, funded seven state court WINGS in 2017.
- In 2013 – 2015, the State Justice Institute and other sources contributed support for WINGS in nine states.
- Additional states have sought to convene WINGS or similar problem-solving groups on their own.

<http://ambar.org/wings>

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## WINGS – ongoing court-stakeholder partnerships that:

- Drive changes in guardianship policy and practice
- Promote less restrictive options
- Address guardianship abuse
- Open doors to communication

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## What is Guardianship?

**Guardians** are appointed by courts for adults who need help in making decisions about their health, lives and finances — some of whom may be subject to abuse, neglect or exploitation.

Guardianship\* can prevent and address — or if misused, can be a source of — abuse, neglect and exploitation.

Guardianship aims to protect individuals, but also removes fundamental rights.

Therefore state laws require that guardianship be:

- A last resort after consideration of other options
- Limited if possible
- Monitored for accountability

\*State terminology varies. In this publication, the generic term “guardianship” refers to guardians of the person as well as guardians of property, frequently called “conservators.”

## What Changes are Needed in Guardianship Practice?

- Consistent screening for less restrictive options
- Procedural safeguards against unnecessary or overbroad orders
- Sound assessment of abilities and support needs
- More frequent court limitations on the guardian’s powers
- Strong court oversight of guardians
- Clear guardian standards and training on how to follow them
- Guardianship data to continue improvement of the system



## What are Some Challenges to Changing Practice?



- Complexity of cases
- Wide variation in practice within states
- Scarce resources for thorough assessments and strong monitoring
- Unnecessary or overbroad court orders
- Instances of fraudulent practices

