



## Health and Human Services—Administration for Community Living (ACL) Elder Justice Innovation Grant

Volunteers of America of Minnesota and Wisconsin

### FACT SHEET

**Overview** -- Current state practices in working with people with cognitive or intellectual impairments rely heavily on the use of guardianship/conservatorship, which is the court appointment of a substitute decision maker after a legal finding of decision-making incapacity. Appointment of a guardian/conservator removes the legal rights of people to make their own decisions about health care, residence, how their money is spent, and more.

With significant funding from the Administration for Community Living (ACL), and working with our partners in this initiative, we plan to introduce **supported decision making (SDM)**, an emerging national model, as an alternative to guardianship/conservatorship, through our collaborative direct case work and macro level systems work in the newly-established **Center for Excellence in Supported Decision Making**.

**Expected outcomes** -- The ACL grant creates a ripple effect:

1. **The Center for Excellence adopts the SDM model** -- which promotes engaging friends, family, and professionals who are specially trained to help vulnerable adults rather than unnecessary guardianships. Petitions are reduced, as well as court costs.
2. **The result is improved well-being and quality of life** -- for Minnesota citizens who need some extra help in their lives but not necessarily guardianship. We hope to avoid the removal of one's constitutional right to self-determination, the right to make very personal decisions such as who provides care, where care is received and critical medical decisions.
3. **Caregivers involved in decision-making will be supported and remain engaged** -- rather than relying on professional guardians/conservators in many cases.
4. Finally, **we expect the Center's work to substantially contribute to nationwide standards** and practices to inform communities as more states move towards the SDM model.

**Current situation** – At the end of 2015, Minnesota had 15,743 guardianship or conservatorship files open, when alternative solutions would be more beneficial for the vulnerable adult. Minnesota currently has NO systematic effort to divert guardianship/conservatorship (G/C) petitions from the courts. We have laws in place to assist vulnerable adults but we lack the funding to create a statewide process to assess the need for G/C, determine whether less restrictive alternatives would address vulnerabilities, and arrange for these alternatives. In addition to in-depth assessments and facilitation of solutions to address decision-making vulnerabilities, the Center will help train and educate community members and professionals (judges included) with the objective to decrease the number of guardianship petitions filed and to promote a statewide SDM model.

In prior years, we lacked funding to bring together organizations serving vulnerable adults, which created a lack of cohesion statewide. Additionally, family and friends already serving as formal or informal decision-makers, or who are available to serve but are hesitant, currently have few resources to support them and keep them engaged. Our partner in the grant, Lutheran Social Service of Minnesota (LSS-MN) will provide support to these "supporters" in the form of education, coaching, resource linkages and more to get them engaged, supported, and willing to stay involved rather than turning things over to professional decision-makers.

## Objectives –

- Create CESDM -- a Center for Excellence, which will educate the community about, and promote the use of, the Supported Decision Making model.
- Convene Minnesota Working Interdisciplinary Networks of Guardianship Stakeholders (WINGS), whose members also include Lutheran Social Service, Minnesota Department of Human Services Adult Protection, Public Guardianship, and Mental Health offices, Minnesota Elder Justice Center, Ombudsmen, advocacy and social service organizations, state and county courts, private attorneys and legal advocacy organizations. MN WINGS is committed to reducing the overall number of guardianships filed in MN, improving guardianship systems, and developing SDM standards and practices.
- Provide training and services including guardianship mediation and other diversion programs utilizing the SDM model.

**Role of the Center for Excellence** -- The Center for Excellence in Supported Decision Making (CESDM) expands the work currently being done by VOA MN's Protective Services: social workers will conduct in-depth assessments of persons with questionable decisional capacity, with a focus on avoiding guardianship wherever possible. The center will establish a statewide hotline to provide consultation, information, advice and referral regarding guardianship and alternatives.

Dedicated legal counsel will advise social workers and people served by the Center and also provide legal representation where needed. Family and friends who are assisted, or could assist with decision making and care planning will receive supportive services from LSS-MN. CESDM also will launch a website with information about services, MN law, advocacy, legal services, and resources that promote SDM and alternatives to guardianship.

**Looking forward** -- This new process can be a reference point for similar programs across the country. Through this initiative, Volunteers of America Minnesota and Wisconsin is committed to its mission to help people gain self-reliance, dignity and hope. This opportunity, provided by the ACL Grant, is a good example of how we are living out that mission.

## About Volunteers of America-Wisconsin and Minnesota

Volunteers of America-Wisconsin and Minnesota is dedicated to helping America's most vulnerable. In 2016, we served about 24,500 people and employed a staff of 800 in Wisconsin and Minnesota, in more than 110 locations. We coordinated the efforts of nearly 1,600 volunteers. Our services provide **self-reliance** for adult offenders and ex-offenders, offer **dignity** for older adults and those with special needs, and bring **hope** to children, youth and families. For more information, visit [www.voamn.org](http://www.voamn.org) or [www.voawi.org](http://www.voawi.org).