

Oregon WINGS General Meeting Minutes

Wednesday December 11, 2019

Oregon Judicial Department
Juvenile & Family Court Programs Division
1133 Chemeketa St NE, Salem, OR 97301

Attendees: Fred Steele, Theresa Hollis, Deborah Howard, Bryan Marsh, Leola McKenzie, Jan Freidman, Chris Rosin, Paula Boga, Valerie Eames, Melissa Dablow, Mark Sanford, Channa Newell, Whitney Yazzolino, Marc Kochanski, Jordan Killian, Timothy Gage, John Koch, Ann Delmar, Jerry Cohen, Sherry Stock, Mary Yeager, Emily Braman, Hon. Patrick Henry, Matt Shields

Introductions

Judge Holland

Called to order by Fred Steele 9:00 AM

Consent Calendar

Approved Minutes September 11, 2019

PR Project

Theresa Hollis

- Played the video for the Get A Life Plan Webpage
- Feedback: The group advised that they are only able to edit the last page.
 - Relates to everyone,
 - How do we start the conversation? Conversation starters will be on the web page.
 - This has got my boys thinking also, not just for older people, maybe the younger generation too on the website. Will there be a part, this is what I want you to know about me as I leave the earth,
 - 5 wishes, how much families want to share at the end of their life. Is there a tool? 5 wishes may not be the right tool. Important for families to engage in a values conversation before nearing death. There are resources out there we can link to.
- Language reading level can be evaluated for website, 8th grade- might be 6th grade, will check with the state. It should be noted that there are legal definitions that cannot be changed because it changes the meaning.
- Described website, divided into 4 pages, in assets in lifetime, assets after death, plan for your body, and play for you body/medical in lifetime. Each category will have links to relevant websites, etc.
- Will add a section for how to start the conversation. It is a page on the WINGS website, and it will be linked from OJD and other sites.

Train the Trainer

Paula Boga

- Project is wrapping up, group acknowledged the Arc and Paula for finishing up the training curriculum which includes a Power Point Presentation and hand-outs.
- They used feedback from pilot and updated the curriculum, put together activities- that match for each of the areas and discussion, trainers guide, pdf print out of each slide along with the notes, guidance. 3-page introduction, how to set up the room, making people feel comfortable, etc. Also will include hand outs referenced in the presentation. Resource section will be at the end, options guide, large packet about 80 pages.
- Bryan brought options guide for members to review.
- Tim Gage had helped with matching resources

- Sherry Stock: Centers for independent living have meeting rooms all over the state- 9 locations. They can also use their mailing list to advertise.
- Deborah Howard: suggested using the school district for kids about to graduate, The Arc stated they have been working with school districts.
- Jerri Cohen from AARP, discussed the calls he will be on and gave ideas about who to get information out.
- Who in the room would like to give the trainings to their groups? Any WINGS member could be a trainer. Also several conferences that it can be presented at. The biggest challenge will be getting it out to rural areas.
- The group will consider doing a pilot here with the final curriculum and then send WINGS out to the world. Takes 3 hours, with feedback. The presentation will be 1 and 1.5 hours. Then have people take it and present it!

Update Stakeholder Projects

All

- Several members recently attended a Summit on Guardianship in Central Oregon. They did a similar mapping project to WINGS, focused on guardianships and conservatorships themselves, seemed to be complimentary to ours, as they did not focus on alternatives to guardianship. Highlights importance of monitoring guardianships that exist. Well orchestrated summit, judges, court visitors, all pieces of the guardianship process, not everyone had the same ideas, lots of opinions. Family guardians don't always understand their role. Good to network. A report will be coming out on the outcomes, guardian partners was not there, and wants to get in touch to make sure they attend in the future. Bryan did mention guardian partners there.
- Mark Sandford had a conversation with DA in Deschutes, re: exploring public guardian office there- it was discussed at the summit. Funding would be an issue, considering different options.

Roundtable Discussion of Trends and Issues, including:

- Conservatorship auditing project grant Bryan Marsh
- State Justice Institute (SJI) offers project grants to states to produce a program of national interest. OJD is putting together a grant proposal for pilot grant to start a centralized conservatorship auditing program. The pilot group of courts would review all accountings in conservatorship and identify discrepancies for the court to follow up on. This would give us information about time it would take audit them and develop processes to possibly take the program statewide. The grant is due in February, if granted, the meeting of courts would be in April, hopefully will know by the next WINGS meeting in March.
- Bryan Marsh discussed the Uniform Commission on Laws Act (2018): Judge Holland requested that he introduce the topic. This is an aspirational law that states can ratify in whole or part. Some of the portions have been adopted in Oregon HB 2601, looking to go through the uniform law and go through the Oregon law piece by piece and figure out if we should adopt it completely, or make changes to ours? A couple of states have adopted it in full, including Washington, Utah, and Montana state. Many partners were brought in to draft it, there is broad support for it. AARP, the Arc, etc. Bryan will send out the link to the group. May end up creating a work group later. Channa Newell states if there is an interest in adopting it, Oregon Law Commission, 2 year commitment, uniform probate code to vet it to see if it is possible in Oregon.
- Advance Directive Form Committee update: Fred Steel gave broad overview in this 2 year effort to get legislation passed, still very far from making a recommendation. Medical providers interested in a wholesale change to have a forum for people to convey wishes. Should advance directive be

lawyer driven or doctor driven? The group discussed several different perspectives on changes that could be made to the form. If there is interest in attending the Governor appointed committee, talk to Fred Steele after the group. Channa stated opinions about specific changes can also be directed to her.

Legislation

- Updates House bill goes live 1/1/20 everyone should read it. Biggest problem is family guardians learning how the changes have been made, educate them through the courts. Professionals/public have more access to the information. Chris Rosin suggested that the court consider sending a letter to family guardians statewide. Court sends out a letter when the guardian is appointed. There is a system in place for courts to send out notices to family guardians. Leola and Bryan will work on memo and get it out to the courts. Theresa Hollis, Jan Friedman and Bryan will work on a draft and get it out to courts to distribute to family courts.
- Probate Bench Book on guardian issues, there is not a regular means for getting information out to probate judges. General bench judges don't always have understanding of probate law. Bryan mentioned SFLAC Chapter 125 states that Judge Cobb is waiting as there is national bench book being created now that should be released in April. Theresa Hollis asked to be on the group.
- 2020 Session
- 11/22 was deadline to get to council, must get them back by 1/13. Deadline for going through the process 1/17, not much time to amend after getting feedback. Once everything in system on 1/17, leadership will determine where bills will end up in system. All will be live and active on the information system. Session starts 2/3? Deadline to move bills out of chamber the next week, bills only get one amendment. Open question about if there will be a meaningful session and member will come to vote.
- Senate Judiciary LC 240 omnibus related to courts, 8 issues, for this group, modification to HB 3007, minor technical fix, most minor fixes, not sweeping legislation, notice to a protected person that a guardian is in place, is mail enough? Allow court to structure notice to ensure person had notice and give explanation to court.
- Modifications to special needs trust, you can have unseeded, eligibility issues in SSA. May not fit into relating clause neatly.
- LC 155-state and federal law overlap in immigration law, special juvenile visa, in us unaccompanied, and experienced abuse or neglect in order to apply must be a court order from the state, works in Oregon up to age 18 but not for those who qualify for federal law between ages 18-21. The law would address this by creating an order of guardianship for 18-21 year old with full capacity, concern with abuse (trafficking). The guardians will be family generally, volunteers that would be guardians but they are not professionals, WA state had same issue, but after auditing with interviews found that there were no abuse, people were exactly what they claimed to be. Similar to a guardianship but is a stand alone provision.
- Bryan was asked to share with WINGS when the bills are available to read.
- Fred Steele, public guardian program to serve homeless veterans to get them off the streets, not sure if it will go.
- Might be up to a billion in excess this biennium.

Wrap up and next Steps

Fred Steele

Meeting Ended 11:00

Next Meeting scheduled for Wednesday, March 11, 2020 9-11 AM.