

Oregon WINGS General Meeting Minutes

Wednesday September 9, 2020

Oregon Judicial Department

Juvenile & Family Court Programs Division

Meeting held via WebEx

Attendees: Hon. Lauren Holland, Hon. Patrick Henry, Bryan Marsh, Matt Shields, Theresa Hollis, , Leslie Sutton, Emily Braman, Jerry Cohen, Marc Kochanski, Michael Lantz, Traci Robertson DHS Aging and People with Disabilities, Jan Friedman, Victoria Blachly, Channah Newel, Whitney Yazzolino, Fred Steele, Valerie Eames, Mary Yeager, Mark Sanford, Deborah Howard, Paula Boga, Chris Rosin, Melissa Dablow

Introductions

Judge Holland

Called to order by Judge Holland 9:00 AM

Approved Minutes June 6, 2020 and August 19, 2020

Minutes from past meetings are now posted on the website under past meetings.

PR Project

Mark Sanford

Not many updates since last meeting, website is now available, no password, has anyone shared information from website? Article in County newsletter soon to get the website out to more people.

Judge Holland asked about translating the information from the website into other languages. Group will get back together to try and figure out how to outreach to those populations and get the material translated, and work making it accessible information to all.

Train the Trainer

Paula Boga

Asked the group as a whole, what to do with the curriculum now? Should it be made public, or vet the people we send it too. Broader discussion about dissemination with the group: Ask for contact information for who is requesting the information, so we can follow up and get data on who it is reaching/how far.

The goal of the training is to provide information about alternatives to guardianship, but in a format for educating service providers/volunteers, anyone working with public around guardianship issues, not consumers.

Discussion: pre covid we were looking to piggy back on other groups planned trainings, however now, we need to make a presentation for zoom/online. The group could host an initial training online, and invite everyone from all our networks, at the end of that training all participants could then disseminate the materials themselves. If there is a video, other members can help participate. Do the training online in an event, and record it, and require trainers to view the recording before they get the materials to present for themselves.

There was a question about supported decision making, training on Arc website, registration, but free to take. Link is: <https://thearcoregon.org/courses/sdm-ttt/>

Deborah Howards suggested taping the training in a way that you can change the slides only if a law changed or updated, and not have to retape the entire training.

Roundtable Discussion of Trends and Issues, including:

[All]

• **COVID-19 and impact on Respondents/Protected Persons**

- Group discussions on impacts, as an agency, it adds another level of difficulty for an already challenging to serve population.
- Call in virtual monitoring system better than doing nothing, although not as good as in person. Third interview required (normally just two) additional person like a doctor, teacher, etc. one other person to weigh in on the person's well being.
- Mark Sanford states they are seeing outbreaks of COVID in facilities, many not surviving, people being transferred to centers for the COVID positive. Complex placement needs, people are waiting for weeks in hospital for placement. Back log for people needing to move is problematic. Coordination of outdoor visitations help give information we didn't pick up on in virtual visits. Many hospital based referrals.
- Chris Rosin states Oregon Public Guardians no clients have tested positive, and not in any of their facilities. A large number of clients have had major changes to their life routine, and have a hard time understanding why. They are still doing in person visits. 6 new clients since pandemic started. Lost DOJ budget, not directly pursuing cases, only if third party is paying for legal process. Capacity only changes when clients pass away. Clients have been displaced from the fires, many into facilities that were already full. Huge barrier, no secure residential treatment facility that will even allow people to be placed on wait list, or to get them into state hospital. Homeless people now are approved for placement, but no place to put them. The most vulnerable people are in terrible situations.
- Emily Braman states one of their group homes was infected by a staff member that worked at another facility. Staffing issues, nonverbal clients going to hospital alone in ambulance with no care givers because the staffing levels are so low. Sometimes having to advocate to make sure they get a caregiver with them.
- Some facilities are refusing to allow clients to leave the house to just go on a walk/with precautions. It's ok to walk around the block/sit on porch....do not evict, some facilities are trying to do more to prevent than DHS is recommending. Some compromise, weigh risks. Some people are being put in 14-day quarantine in their rooms for going on a walk.
- Whitney Yazzolino: make sure decision makers in place, aside from adjusting to everything virtually, office is putting together new protocols.
- Jan Friedman: On DRO's website, we have a Know Your Rights brochure for residents of facilities seeking health care given Covid-19. People who are respondents or protected persons & live in facilities, may not be allowed to appear in Court in person because they cannot return & put residents at risk. This poses a Due Process concern for these parties. Judge Holland states there are many courts are doing all hearing types virtually or by phone,

no in person hearings. In Multnomah County, trying to ensure parties are all appearing by lowest modality (all video or all call in)

- Long Term Care Ombudsman: Cares Act money LTCO received from federal government used to purchase devices to facilities, one from LTCO and one to Facility, could be used for guardianship proceedings. Devices not received yet but working on the contract. If disabled, you can request communication devices. Anyone living in a facility can get a free connected device.
 - Court visitors are essential workers so they can still go into facilities.
 - Traci Robertson and Valerie, monitoring numbers coming in from the state we don't have them for the group due to evacuation. Be aware of: notice if you are seeing that few people are having contact with protected people, more opportunity for abuse as not as many eyes. Will get numbers for the group.
 - SFLAC data collection, Conor Wall working with group and can explain data in plain language, one thing we haven't been collecting is cultures/language information. In the past this could be used to discriminate, but for information purposes it could answer the question, are we adequately serving all members of our community? Would shed light on access issues. What are the best questions to ask to ensure we are serving everyone? Who are the right people to be making those decisions? Judge Holland explained experience with a case where the subject of guardianship was black, proposed fiduciary was white, guardianship itself was objected, and even if the guardianship was appropriate, the subject did not want to have a white man in his home, in charge of his finances. Jan states choice of respondent is a factor, maybe it should be weighted more. For data collection, their agency always has asked about ethnicity and race due to federal funding.
 - Chris Rosin: Gender issues, some individuals have very sexually inappropriate/or trauma so gender of guardian can also pose an issue, but there is one deputy per area. But there is currently no choice between gender/race.
 - We do collect age information but it's not great as people continue to age after initial filing.
- **Remote Hearings Recommendations for Chief**
 - Unintended benefit of participation in family members, etc that did not participate before. Waiting to hear back from the Chief on her recommendations. No end in sight for remote hearings.

Wrap up and next Steps

Judge Holland

Next Meeting scheduled for Wednesday, December 9, 2020 from 9:00 am -11:00 am.

Meeting Ended 11:00 a.m.