



## Disability and Guardianship Project

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September 25, 2017

Ms. Rebecca Bond  
Disability Rights Section  
U.S. Dept. of Justice  
950 Pennsylvania Avenue N.W.  
Washington, DC 20530

Re: Information about Missouri's guardianship system

Dear Ms. Bond:

Today we submitted a complaint to the Supreme Court of Missouri pursuant to Section 35.107 of ADA Title II Regulations. (<http://disabilityandabuse.org/whats-new.htm>) We believe that it is appropriate to give that state an opportunity to bring its guardianship system into compliance with federal law before we consider filing a formal complaint with the U.S. Department of Justice.

Our letter of complaint, and supporting materials, are being sent to the Disability Rights Section for informational purposes only. The Missouri materials, when added to our research of other states, shows that ADA violations are occurring in many parts of the nation. This is not an isolated problem. That is why we have been urging the DOJ to publish formal guidance materials to assist the states in understanding their obligations to provide access to justice in guardianship proceedings – *meaningful* access as required by the ADA and Section 504 of the Rehabilitation Act of 1973.

Missouri is the third state where we have conducted a significant review of guardianship policies and practices. You know about the State of California since we have filed two complaints with the DOJ about that state. (<http://spectruminstitute.org/doj/>) Although a formal complaint has not yet been filed with the DOJ against the State of Washington, we did submit a report to that state's Supreme Court demonstrating that its court-appointed attorney system for guardianship cases was out of compliance with the ADA. (<http://spectruminstitute.org/gap/>) Information about that report was sent to attorneys at the Disability Rights Section.

As we discover additional information about ADA noncompliance in guardianship systems in other locations, we will let you know. Hopefully, this growing body of evidence will move the DOJ to take appropriate action to protect the rights of people with intellectual and developmental disabilities who are involuntarily required to participate as respondents in state guardianship proceedings.

Very truly yours:

Thomas F. Coleman  
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