

# **DUE PROCESS *PLUS***

ADA Advocacy and  
Training Standards for  
Appointed Attorneys in  
Adult Guardianship Cases



Legal Benchmarks are Informed  
by Due Process Precedents  
and Best Practices Guidelines

White Paper to the U.S.  
Department of Justice

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**Disability and Guardianship Project  
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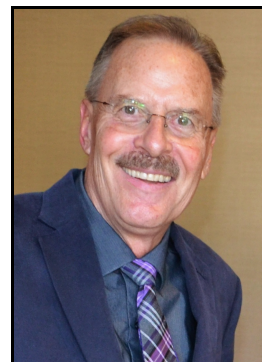
Online at: [www.spectruminstitute.org/white-paper](http://www.spectruminstitute.org/white-paper)  
ADA refers to the Americans with Disabilities Act

## About the White Paper

The White Paper offers a comprehensive set of standards for the training and performance of attorneys who represent people with intellectual and developmental disabilities in guardianship cases. The report was submitted to the U.S. Department of Justice as a tool it can use during investigations of courts whose practices may be in violation of Title II of the ADA. Courts have a responsibility to adopt policies and have monitoring procedures in place to ensure that court-appointed attorneys are providing their clients access to justice. They must also ensure that such attorneys are properly trained. Courts will find the report to be a valuable resource in formulating training and advocacy standards to fulfill their ADA access-to-justice responsibilities. Attorneys who represent guardianship respondents will also find the report helpful as they seek to become effective advocates for clients who have disabilities.

## About the Author

Attorney Thomas F. Coleman has been advocating for the rights of people with disabilities for 35 years. The focus of his work has included personal privacy, family diversity, criminal justice, and victims rights. For the last few years, his attention has been devoted to adult guardianships and the need for systemic reform. He has conducted extensive studies of the California limited conservatorship system and has filed complaints with the U.S. Department of Justice for voting rights violations and for violations of the ADA by court-appointed attorneys. The White Paper is only one of several major reports he has published. His approach to reform involves conducting investigations, identifying problems, and proposing viable solutions.



## About Spectrum Institute

Spectrum Institute is a nonprofit organization that does research, education, and advocacy involving the rights of people with intellectual and developmental disabilities. With the assistance and advice of consultants throughout the nation, the Executive Committee operates in two program areas. The mission of the Disability and Abuse Project, headed by Dr. Nora J. Baladerian, is to reduce the risk of abuse, to promote healing for victims, and to seek justice for those who have been victimized. The mission of the Disability and Guardianship Project, headed by attorney Thomas F. Coleman, is to ensure that people with developmental disabilities have access to justice in guardianship proceedings, and that less restrictive alternatives are used, such as supported decision making, when feasible. Education and advocacy for reform of state guardianship systems are primary functions of the Disability and Guardianship Project.