

REVIEW

By Kevin Bigelow

Capacity Assessments in California Conservatorship Proceedings

Improving Clinical Practices and Judicial Procedures to Better Protect the Rights of Seniors and People with Disabilities

By Thomas F. Coleman, Legal Director, Spectrum Institute
Released July 1, 2020 / <https://spectruminstitute.org/capacity/>

Thank you for the opportunity to review this report. I will confess that I have not had time to read the report in full, but from what I have read you have pursued this topic with the same combination of professionalism and ability to explain complex issues clearly that I have seen in your other work. Such a report is long overdue, and the workgroup for the project will, I believe, lend great authority to your conclusions and your recommendations.

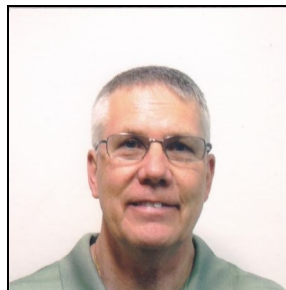
Although it was some years ago, I recall that we, as Adult Protective Services workers, dreaded having cases where there were allegations of abuse or neglect by a conservator against their conservatee. The conservatee seldom felt safe in telling us the truth due to fear of reprisals from the very person who controlled their lives.

In addition, even if clear abuse or neglect was found it was nearly impossible to do anything about it. Attorneys and judges did not seem interested in responding to the allegations, and often we would later receive reports of the same or new abuse or neglect by the same conservator against their conservatee and we would realize that although the judge or other authority who had promised to 'look into' the abuse or neglect had done nothing to protect the conservatee.

I hope that your very thorough report will be a catalyst that can bring about the badly needed changes and awareness of the all too common problems and inequities faced by conservatees.

Thank you for all of your hard work on this Tom!

About Kevin Bigelow



Kevin Bigelow is the Coordinator for the Certificate Program of the National Adult Protective Services Association.

Kevin is a trainer and consultant specializing in the abuse, neglect, and exploitation of vulnerable populations and disaster preparedness for elderly persons and persons with physical or mental challenges.

Working for Orange County CA government for 25 years, Kevin was an APS worker and supervisor, and later served as the Adult Services Training Coordinator and Emergency Management Coordinator for Orange County. Social Services. He also worked with Behavioral Health clients where he supervised social workers who investigated elder and dependent adult abuse, neglect, and exploitation.

Since he retired in 2011 Kevin gives, writes, and consults on trainings and e-learnings pertaining to Adult Protective Services.

** These opinions do not necessarily reflect those of the National Adult Protective Services Association nor those of San Diego State University's APS Workforce Innovations.*