Comment: The following news stories about adult guardianship or conservatorship are being circulated by the Disability and Guardianship Project of Spectrum Institute to persons interested in guardianship and conservatorship reform. The stories are extracted from the Newsfeed of the organization’s Disability and Abuse Project. Many thanks to Debra J. Stemmler for her research and to Dr. Nora J. Baladerian for funding the Newsfeed service.

– Thomas F. Coleman, Legal Director

“State Watchdog Does Little to Hold Court-Appointed Guardians Accountable” - The Office of Public and Professional Guardians – set up by lawmakers in 2016 – has handed out only 19 warning letters since it was established, state records show. – ABC Action News – February 22, 2019 – (Florida) - https://is.gd/7o47Fa

“Kerala HC Issues Rules on Guardianship of People in Coma” - The Kerala high court on Wednesday issued guidelines enabling close relatives of people lying in coma to manage their assets and bank accounts. – Times of India – February 21, 2019 – (India) - link to story

“Operator of Guardianship Firm Gets 12-Year Prison Sentence” - The operator of a New Mexico guardianship form has been sentenced to 12 years in prison for looting millions of dollars from trust accounts of dozens of people needing help with their financial affairs. Paul Donisthorpe of Bloomfield, New Mexico, apologized for his actions as he was sentenced Friday in U.S. District Court in Albuquerque, and U.S. Attorney John C. Anderson later said in a statement that Donisthorpe's conduct was "particularly odious" because he enriched himself at the expense of vulnerable people he was entrusted with protecting and serving. – US News – February 23, 2019 – (New Mexico) - https://is.gd/Rp1Ax0


“Realtor Seeks Court-Ordered Guardianship to Take Away Rights of Elderly Beach Hotel Owner” - That real estate agent hired a lawyer and went to court to ask a judge to put a
court-appointed guardian in charge of Dirse’s life after the elderly woman sold one building on her hotel property to her great nephew. – ABC News – February 19, 2019 – (Florida) - https://is.gd/xRS68M

“2nd Circuit Confirms Abstention from Case Challenging Protections Afforded Disabled New Yorkers” - The U.S. Court of Appeals for the Second Circuit decided Friday against federal court intervention in a challenge implicating the New York state court system’s handling of certain surrogate’s court guardianship proceedings for failing to provide vulnerable people with proper protections. – New York Law Journal – February 15, 2019 – (New York) - https://is.gd/nIqNwc

“Legal-Ease: Caring for adult children with special needs” - The first consideration as to adults with special needs is ensuring our ability to assist them with decision-making. If the adult is mentally competent as a matter of law, the adult may be able to sign powers of attorney that name family or friends as agents to make decisions – Lima Ohio – February 16, 2019 – (Ohio) - https://is.gd/MIPwnx

“Cities Across US Are Stripping Homeless People of Their Autonomy” - The city’s latest weapon against the homeless is a law that recalls the era of insane asylums. In San Francisco and other major metro areas across the country, governments are pressing pause on disabled and homeless peoples’ ability to make the most basic of decisions, through a scheme called “conservatorship.”- Truth Out – February 10, 2019 – (California) - https://is.gd/dj8pyk

“Management Trust Safeguards Incapacitated Person’s Assets” - The court will appoint a financial institution as the trustee, unless the court finds it is in the best interest of the incapacitated person and, if the trust principal is more than $150,000.00, that the applicant has not been able to find a financial institution in the geographic area willing to serve as trustee. In that case, the court can appoint: (1) an individual, which might include a private professional guardian; (2) a nonprofit corporation to serve as guardian; or (3) a guardianship program. – Glen Rose Reporter – February 11, 2019 – (Texas) - https://is.gd/HvO96X