



A Message from the Executive Director

The Path Forward

A Map for Conservatorship Reform

For the past eight years, Spectrum Institute has been showing judges, lawmakers, administrators, disability rights advocates, and conservatorship reform activists a path forward. The sign markers we have placed along the way have included conference materials, administrative complaints, public meeting presentations, policy reports, guidebooks, legal commentaries, and webinars.

We have identified the [flaws and fixes](#). We have aligned the [solutions](#) with the officials who have the jurisdiction to adopt and implement them. We have literally handed conservatorship reform advocates a template for change titled "[A Path Forward](#)."

Yet, although we have led people to the refreshing water of reform, few have chosen to partake. While most of these officials and many of these advocacy organizations are poised at the edge of a sea of reform options, tens of thousands of adults in California who are ensnared in overreaching and often unnecessary conservatorships are being deprived of access to justice. Thousands more in the state who are targeted with new proceedings each year are left to the whims of the status quo.

It serves no meaningful purpose to continue to churn out reform templates

until people clamoring for reform, agencies with budgets allocated to protect disability rights, and officials who have taken an oath to uphold the constitution, read the sign markers and start walking down the path. The will to change cannot be imposed. It must be chosen.

The foundational research for reform has been done. Specific proposals to fix every broken part of the conservatorship system have been formulated. All of this has been provided to the advocates who are clamoring for reform and the public officials who continue to resist it.

Perhaps what is needed to activate the ingredients for reform that are sitting there in plain sight are a few catalysts. The #FreeBritney movement was a catalyst that prompted a few legislators to pass AB 1194. If it is implemented properly, this new law should usher in an era of zealous advocacy by lawyers who will file motions, lodge objections, demand jury trials, and file appeals. All of this will give individuals access to justice as well as promote systemic reforms to help the entire class of people affected by these proceedings.

Ongoing and sustained media attention -- focusing both on individual injustices and systemic failures -- may be the elixir that serves as a potent catalyst for meaningful and lasting reforms. We need more investigative reporters like [Andie Judson](#) from ABC-10 television in Sacramento popping up all over the state. Her [in-depth reporting](#) is causing greater public awareness of the massive systemic failures that are harming thousands of adults with mental and developmental disabilities, their families, and weakening the moral fabric of our society. Such reporting creates heightened public interest, which is what gets the attention of elected officials in all three branches of government.

While many officials stand hesitantly at water's edge, we at Spectrum Institute take satisfaction that our [publications and proposals](#) remain available as navigating tools for change agents and policy makers when they are ready to use them.



Thomas F. Coleman
Executive Director



“The Zealous Advocacy report issued by Spectrum Institute in response to AB 1194 is absolutely great. The report contains new and useful information that will benefit attorneys who represent conservatees and proposed conservatees”

**Anthony Chicotel, Staff Attorney
California Advocates for
Nursing Home Reform**

Register for Dec. 8 Commonwealth Club Forum

FEE FOR ALL

How Judges Are Raiding the Assets of Older Adults
and Lining the Pockets of Conservatorship Attorneys



This forum will explain how the assets of seniors and people with disabilities are often drained in order to pay the fees of a variety of attorneys in probate conservatorship proceedings.

With vague or nonexistent rules and a lack of accountability, judges are making ad hoc and often arbitrary orders requiring conservatees and proposed conservatees to pay unreasonable or excessive legal fees. Not only are they required to pay the fees of lawyers appointed to represent them, they are forced to pay the fees of lawyers representing other parties in the case: petitioner, temporary conservator, guardian ad litem, objector, public guardian, or permanent conservator.

The panelists in this forum will explain how they witnessed or experienced this “fee for all” depleting the assets of a conservatee. The moderator will explain how the Funding and Fees Project of Spectrum Institute plans to tackle this problem with a thorough study of what has been happening in local courts throughout the state. The project will issue a report and recommendations on how to tame this asset-eating beast. The fee for attending this one-hour online program is only \$5.00. For more information and access to the registration page, [click here](#).



ABC-TV News Story on New Legal Rights Under AB 1194

ABC TV in Sacramento aired a story on the new right to counsel provisions of AB 1194. Spectrum Institute's legal director, Thomas F. Coleman, was featured in the six-minute episode. To watch the story, [click here](#). To read the print story, [click here](#).

Another news story introduced viewers to a special type of conservatorship for adults with developmental disabilities. Throughout the news segment, Barbara Imle discusses problems with the limited conservatorship system and the need for regulation and coordination of the 21 regional centers in California. These centers are supposed to assess proposed limited conservatees to ensure that they are not unnecessarily placed into a conservatorship and, if one is necessary, that it is not overly intrusive. Barbara is a member of the board of trustees of Spectrum Institute. To watch the news story, [click here](#). To read the associated print story, [click here](#).

Both stories were developed by investigative reporter Andie Judson.

The Freedom Files

New Podcast Episode Now Available



In this podcast, the host has a conversation with Barbara Buckley, the executive director of the Legal Aid Center of Southern Nevada, about their advocacy and defense services in guardianship proceedings. The Guardianship Advocacy Program provides representation to seniors and adults with disabilities who are facing or under guardianship to ensure the client's legal rights are protected.

In order to provide legal representation to as many adults as possible, the Legal Aid Center developed a training manual that provides advocacy guidelines for pro bono attorneys who take adult guardianship cases through Legal Aid Center's Pro Bono Project. The manual warns would-be pro bono attorneys: "Accepting this senior or adult with disability as a client means you must advocate for what the client wants – not what any other person or professional, including you, thinks ought to happen or is in the client's best interests. (Leave that for the other parties, the guardian ad litem, and, ultimately, the judge.) Your job is to promote what your client wants to the guardian and to the court and to work to make that happen, which might require you to confront uncaring guardians or family members and a sometimes inefficient and impersonal legal system." Coleman and Buckley discuss what these attorneys do and how their advocacy and defense services have impacted the guardianship system. How are these attorneys trained? Are their legal services monitored in any way? How is the Center's Guardianship Advocacy Program funded?

To view or listen to the podcast, [click here](#).



Internship Summary for ADA Judicial Compliance Project

Maria Reyes Olmedo participated with Spectrum Institute as a summer intern with the [ADA Judicial Compliance Project](#). We are pleased to share Maria's summary of the work that was done and the positive results of these efforts. Litigants with mental or developmental disabilities will be better off because of Maria's thoroughness and tenacity. To read the summary, [click here](#).



Internship Opportunities Are Available for LGBTQ Legal History Project

Spectrum Institute has internship opportunities available for law students as well as undergraduate students majoring in history or journalism.

The internship announcement has been posted at 21 universities. For more information about the internships with the [Birds of a Feather](#) history project, [click here](#). The project commemorates lesbian and gay law students who were trailblazers advancing LGBTQ rights during the decade of the 1970s. As the founding president of the first gay law student association in the nation and the organizer of the first forum on gay rights at an annual meeting of the American Bar Association -- both of which occurred in 1972 -- Thomas F. Coleman, legal director of Spectrum Institute, was one of those law student pioneers.



New Research Associate Joins LGBTQ Outreach Campaign

Kelly B. Blair has become a volunteer, serving as a research associate with the organization's [LGBTQ Outreach Campaign](#). Kelly will help with the *Birds of a Feather* commemoration to recognize gay and lesbian law students who were trailblazers during the 1970s.

Kelly describes himself as “a jack of all trades.” Since 2005, he has worked as a Program Secretary and Program Specialist at College of the Desert in the EOPS and CARE (Extended Opportunity Programs and Services and Cooperative Agencies Resources for Education) office. EOPS/CARE are two state funded programs that assist low income students and students who are single parents to receive a college education and break the cycle of poverty in their community. Prior to that he worked for MemorialCare Medical Centers in

Long Beach as the Executive Secretary to the Vice President of Marketing. Previous employment included work in customer support for various companies in Southern California.

Since moving to the Palm Springs area, Kelly has become a proud and involved union member with CSEA (California School Employee Association). He is also the organist at Arcadia Congregational Church in Arcadia, California. Kelly likes learning new skills and is always up for a new challenge. When he's not working, Kelly enjoys watching motion pictures, listening to music, playing music, dancing, giving flattop haircuts, and hanging out with his close friends.



[Gary M. Segura](#) is the dean of the Luskin School of Public Affairs at UCLA. He and Professor Samy Alim hosted an event on November 20 at their home in Palm Springs to introduce a new project at UCLA -- the Gay Sexuality and Social Policy Initiative. Since Spectrum Institute plans to launch its own sexuality project in November 2022 -- Capacity to Love -- executive director Thomas F. Coleman, who lives in Palm Springs, attended the gathering.

[Capacity to Love](#) is a campaign to protect the social and sexual rights of LGBTQ adults with mental or developmental disabilities. This includes adults living alone or with a roommate, spouse or family members; those living under an order of conservatorship or guardianship; and those living in licensed settings such as nursing homes or group homes.

[GSSPI's website](#) says that the initiative will have "a particular focus on diversity within gay male communities – men of color, migrant gay men and men outside of the U.S. and Western Europe." It will "prioritize the intersecting experiences and struggles around body autonomy, racial, economic, and reproductive justice." GSSPI's interdisciplinary research activities "will focus on coalition building with communities impacted by stigma, discrimination, homophobia, racism, and other forms of oppression both domestically and internationally."

Because the initiative expresses an interest in openness, inclusion, and diversity, Coleman encouraged Dean Segura (left), Project Director Dr. Ian Holloway (middle), and Deputy Director Alex Garner (right), to incorporate the sexuality of gay men with mental or developmental disabilities in its broad research umbrella. This segment of the gay male community needs attention. The rights of gay men with such disabilities are often ignored or suppressed by those who assert control over their lives -- family members, conservators and guardians, service providers, residential managers, and judges. An initiative that

plans to do cutting edge research and advocacy should not miss the opportunity to embrace the philosophy that all adults have the capacity to love and to express their sexuality, including gay men with mental or developmental disabilities.

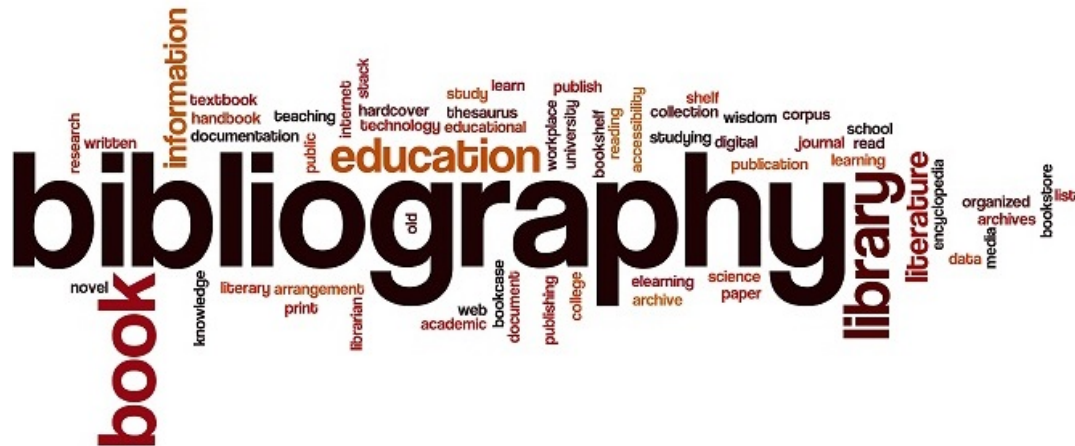


Spectrum Institute
Presents
Zealous Advocacy
A Webinar on the Implications of AB 1194
for Conservatorship Attorneys, County
Risk Managers, and Court Administrators

Wide Variety Attend Webinar

The Zealous Advocacy webinar on November 16 was attended by public defenders, county counsel, appellate counsel, Judicial Council staff, superior court staff, private attorneys, and reform advocates.

Suggested Reading



To browse through a list of reports, articles, commentaries, and other materials published by Spectrum Institute, [click here](#).

Please show your support for our work by making a donation. Since we are an IRS-approved 501(c)(3) charitable foundation, donations to Spectrum Institute are tax-deductible as allowed by federal law. Donors can designate a donation for a specific project or campaign. Otherwise they will be used for general organizational support.

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