

## RESOURCES ON GUARDIANSHIP, CONSERVATORSHIP, AND OTHER OPTIONS

### Oregon State Bar CLE Seminar: Guardianships and Conservatorships

October 6, 2017

Penny L. Davis, The Elder Law Firm

111 SW Fifth Avenue, Suite 1890

Portland, Oregon 97204

503-452-5050

#### PUBLICATIONS:

##### *Advance Directives (Living Wills)*

Oregon State Bar (2014). Available online in many languages at

[http://www.osbar.org/public/legalinfo/1120\\_LivingWill.htm](http://www.osbar.org/public/legalinfo/1120_LivingWill.htm)

##### *Assessment of Older Adults with Diminished Capacity: A Handbook for Lawyers*

American Bar Association and American Psychological Association (2005). Available for purchase online at <https://shop.americanbar.org/eBus/Store/ProductDetails.aspx?productId=213590>

##### *Elder Law*

Oregon State Bar (2<sup>nd</sup> edition, 2017). Chapter 2, “Substituted Decision- Making: Responding to Declining Capacity,” includes information about guardianships, conservatorships, and less restrictive alternatives. Available to OSB members online at <http://www.osbar.org/index.html>

##### *FAQs about Representative Payees*

Disability Rights Oregon (English edition, date unknown). Available online at

<https://droregon.org/wp-content/uploads/FAQ-Rep-Payees.pdf>.

##### *Guardianship Handbook: Protective Proceedings for Adults*

Disability Rights Oregon (3<sup>rd</sup> edition in English, 2009). Available online at

<http://droregon.org/wp-content/uploads/Guardianship-Handbook-Third-Edition.pdf>

##### *Guardianship in Oregon Explained in Brief for Medical and Other Care Professionals*

Oregon Department of Human Services State Unit on Aging (2014). Available online at

[https://apps.state.or.us/cf1/DHSforms/Forms/Served/de0756.pdf?CFGRIDKEY=DHS%200756%2C%2CGuardianship%20in%20Oregon%20-%20explained%20in%20brief%20for%20medical%20and%20other%20care%20professionals%2C%2Cde0756.pdf%2C%2C%2C%2C%2C%2Chttps://apps.state.or.us/cf1/DHSforms/Forms/Served/-%2C%2Chttps://apps.state.or.us/cf1/DHSforms/Forms/Served/-](https://apps.state.or.us/cf1/DHSforms/Forms/Served/de0756.pdf?CFGRIDKEY=DHS%200756%2C%2CGuardianship%20in%20Oregon%20-%20explained%20in%20brief%20for%20medical%20and%20other%20care%20professionals%2C%2Cde0756.pdf%2C%2C%2C%2C%2C%2Chttps://apps.state.or.us/cf1/DHSforms/Forms/Served/-%2C%2Chttps://apps.state.or.us/cf1/DHSforms/Forms/Served/)

##### *Guardianships, Conservatorships, and Transfers to Minors*

Oregon State Bar (5<sup>th</sup> edition, 2009). Available to OSB members online at

<http://www.osbar.org/index.html>

##### *Help for Court-Appointed Guardians of Property and Conservators*

Consumer Financial Protection Bureau Office for Older Americans (2015). Available online at

[http://files.consumerfinance.gov/f/201310\\_cfpb\\_lay\\_fiduciary\\_guides\\_guardians.pdf](http://files.consumerfinance.gov/f/201310_cfpb_lay_fiduciary_guides_guardians.pdf)

***Help for Representative Payees and VA Fiduciaries***

Consumer Financial Protection Bureau Office for Older Americans (2015). Available online at [http://files.consumerfinance.gov/f/201310\\_cfpb\\_lay\\_fiduciary\\_guides\\_representative.pdf](http://files.consumerfinance.gov/f/201310_cfpb_lay_fiduciary_guides_representative.pdf)

***Helping Memory-Impaired Elders: A Guide for Caregivers***

Oregon State University (revised edition, 2016). Available online at <https://catalog.extension.oregonstate.edu/pnw314>

***Ley de Salud Mental en Oregon***

Disability Rights Oregon (4<sup>th</sup> edition in Spanish, 2012). Available online at <https://droregon.org/wp-content/uploads/Ley-de-Salud-Mental-en-Oregon.pdf>

***Manual de Tutela Procesos Judiciales de Protección para Adultos***

Disability Rights Oregon (3<sup>rd</sup> edition in Spanish, 2009). Available online at <http://droregon.org/wp-content/uploads/Manual-de-Tutela-Procesos-Judiciales-de-Protecci%C3%B3n-para-Adultos.pdf>

***Mental Health Law in Oregon***

Disability Rights Oregon (4<sup>th</sup> edition in English, 2012). Available online at <https://droregon.org/wp-content/uploads/Mental-Health-Law-in-Oregon-Fourth-Edition.pdf>

***Options in Oregon to Help Another Person Make Decisions: Guardianship, Conservatorship, and Other Options in Oregon***

Oregon Department of Human Services State Unit on Aging (2015). Available online at <https://apps.state.or.us/cfl/DHSforms/Forms/Served/se0502.pdf>

***Oregon Advance Directive for Health Care***

Explanatory materials about the difference between an advance directive and Physician Orders for Life-Sustaining Treatment (POLST) and the statutory advance directive form available online at <http://oregonpolst.org/advance-directives/>. Advance Directive for Health Care forms are available from most hospitals and health plans and from many health care providers.

***Oregon Declaration for Mental Health Treatment***

Explanatory materials about the Declaration for Mental Health Treatment and the statutory form available online at <http://www.oregon.gov/oha/HSD/AMH/Forms/Declaration.pdf>. Declaration for Mental Health Treatment forms are available from some health plans and mental health providers.

***The Oregon Fiduciary's Handbook***

Estate Planning Council of Oregon (2013). To order, go to <http://www.epcportland.org/assets/Councils/Portland-OR/library/The%20Oregon%20Fiduciary%27s%20Handbook%20Fillable%20Order%20Form.pdf>.

***Powers of Attorney and Other Decision-Making Tools***

Oregon State Bar (2014). Available online in many languages at [https://www.osbar.org/public/legalinfo/1122\\_PowerofAttorney.htm](https://www.osbar.org/public/legalinfo/1122_PowerofAttorney.htm)

***PRACTICAL Tool for Lawyers: Steps in Supported Decision-Making***

American Bar Association (2016). Available online at [www.americanbar.org/groups/law\\_aging/resources/guardianship\\_law\\_practice/practical\\_tool.html](http://www.americanbar.org/groups/law_aging/resources/guardianship_law_practice/practical_tool.html)

***Representantes de beneficiarios del Seguro Social***

Disability Rights Oregon (Spanish edition, date unknown). Available online at <https://droregon.org/wp-content/uploads/Representantes-de-beneficiarios-del-Seguro-Social.pdf>

***Revocable Living Trusts***

Oregon State Bar (2016). Available online in many languages at [http://www.osbar.org/public/legalinfo/1196\\_revocabletrusts.html](http://www.osbar.org/public/legalinfo/1196_revocabletrusts.html)

***Social Security Administration Representative Payee Program***

Explanatory materials and forms available online at [www.ssa.gov/payee/](http://www.ssa.gov/payee/)

***U.S. Department of Veterans Affairs (VA) Fiduciary Program***

Explanatory materials and forms available online at [www.benefits.va.gov/fiduciary/](http://www.benefits.va.gov/fiduciary/)

***Your First Year as Guardian***

Oregon Department of Human Services State Unit on Aging (2014). Available online at <https://apps.state.or.us/cfl/DHSforms/Forms/Served/se0559.pdf>

**SOURCES FOR FINDING A GUARDIAN OR CONSERVATOR IN OREGON:**

**Guardian/Conservator Association of Oregon**

PO Box 2587  
Oregon City OR 97045  
[www.gcaoregon.org](http://www.gcaoregon.org)

GCA Oregon is a non-profit membership organization for professional guardians, conservators, trustees, attorneys, and those who work in related fields. The website includes a member directory which can be searched by name, location, types of services provided, and certification.

**Oregon Bankers Association**

PO Box 13429  
Salem, OR 97309-1429  
Phone: 503-581-3522  
[www.oregonbankers.com](http://www.oregonbankers.com)

OBA is a non-profit trade association representing state and national banks and trust companies doing business in Oregon. Some trust companies and bank trust departments will serve as conservator and/or guardian.

**Oregon Public Guardian**

3855 Wolverine St NE, Suite 6

Salem, OR 97305

Phone: 503-378-6848 or toll-free 1-844-656-6774

<http://www.oregon.gov/LTCO/Pages/Oregon-Public-Guardian.aspx>

Legislation establishing the statewide Oregon Public Guardian was enacted in 2014. The program has limited capacity to provide direct services. Its priority is serving individuals over the age of 18 who are experiencing severe and current abuse or neglect or profound self-neglect with life threatening issues.

**Oregon Department of Veterans' Affairs (ODVA) Conservatorship Program**

Conservatorship Manager

700 Summer St NE

Salem, OR 97301-1285

Phone: 503-373-2085 or 800-692-9666

<http://www.oregon.gov/odva/BENEFITS/Pages/conservatorship.aspx>

The ODVA Conservatorship Program serves veterans, their surviving spouses, minor children or helpless adult children of veterans, and dependent parents.

**The Arc Oregon Guardianship, Advocacy, and Planning Services (GAPS)**

2405 Front Street NE #120

Salem, OR 97301

Phone: 503-581-2726

[www.thearcoregon.org/what-we-do/gaps/](http://www.thearcoregon.org/what-we-do/gaps/)

GAPS is a non-profit statewide guardianship program which provides guardianship services, advocacy services, and appointed health care representative services for individuals with intellectual and developmental disabilities.

**Impact NW Senior Guardianship Assistance Program**

PO Box 787

Forest Grove, OR 97116

Phone: 503-357-7520

[www.impactnw.org](http://www.impactnw.org)

This program operated by Impact NW (a non-profit organization) provides money management, representative payee services, and guardianship and conservatorship services to a limited number of vulnerable seniors in Washington, Clackamas, and Multnomah counties.

**Senior Citizens Council of Clackamas County**

PO Box 1777

Oregon City, Oregon 97045

Phone: (503) 657-1366

[www.seniorcitizenscouncil.com](http://www.seniorcitizenscouncil.com)

This non-profit organization provides guardianship diversion services (such as money management) and guardianship and conservatorship services to a limited number of at-risk individuals in Clackamas County.

**Jackson County Public Guardian**

Center for NonProfit Legal Services, Inc.

PO Box 1586

Medford, OR 97501

Phone: 541-779-7291

[www.cnpls.org/who-do-we-serve/](http://www.cnpls.org/who-do-we-serve/)

The Center for NonProfit Legal Services has a contract with Jackson County to serve as the county's public guardian. The program accepts a limited number of cases referred by local agencies and concentrates on protecting individuals in the greatest need who have no one else willing and able to serve as guardian.

**Multnomah County Public Guardian**

421 SW Oak Street, Suite 510

Portland, OR 97204-0000

Phone: 503-988-4567

[www.multco.us/ads/public-guardian-program](http://www.multco.us/ads/public-guardian-program)

The Multnomah County Public Guardian is a publically funded program which provides guardianship and conservatorship services for a limited number of mentally incapacitated persons in the county who are unable to care for themselves and who are at high risk due to abuse, exploitation, or extreme self-neglect. The public guardian is appointed only when there is no one else who is willing and able to serve as guardian and/or conservator.

**STATE AGENCIES PROVIDING SERVICES TO ELDERS, PEOPLE WITH DISABILITIES, AND THEIR FAMILIES:****Long-Term Care Ombudsman**

3855 Wolverine NE, Suite 6

Salem, OR 97305

Phone: 503.378.6533 or 800.522.2602

<http://www.oregon.gov/lto/Pages/index.aspx>

The Office of the Long-Term Care Ombudsman uses staff and certified volunteer ombudsman to advocate, investigate complaints, and resolve concerns for residents of nursing facilities, residential care facilities, assisted living facilities and adult foster care homes. The complaint or concern may involve resident care, medications, billing, lost property, meal quality, eviction, guardianship, dignity and respect, or care plans.

**Oregon Department of Human Services, Aging and People with Disabilities**

500 Summer St. NE

Salem, OR 97301

Phone: 503-945-5600

<http://www.oregon.gov/DHS/Pages/index.aspx>

DHS Aging and People with Disabilities (sometimes called Seniors and People with Disabilities) provides information and a variety of services for seniors, people with physical disabilities, and people with intellectual and developmental disabilities. Most services are provided through local APD and Area Agency on Aging offices and county Community Developmental Disability Programs. DHS APD is responsible for receiving and investigating reports of abuse and neglect of elders and people with disabilities. DHS also licenses long term care facilities and investigates complaints about those facilities.

**Oregon Department of Human Services**

**Aging and Disability Resource Connection of Oregon**

Phone: 855-673-2372

<https://www.adrcforegon.org/consite/index.php>

ADRC offers information and counseling as part of a public -private partnership to help consumers navigate the complicated aging and disability services delivery system.

**Oregon Department of Veterans' Affairs (ODVA)**

700 Summer St NE

Salem, OR 97301-1285

Phone: 503-373-2085 or 800-692-9666

<http://www.oregon.gov/odva/vsodirect/pages/LOCATOR.aspx>

Accredited Veteran Service Officers (VSO) with ODVA, local counties, and national service organizations answer questions about state and federal VA benefits and assist with applications.

**Oregon Health Authority Addictions and Mental Health Services**

500 Summer Street NE

Salem, OR 97301-1079

Phone: 503-945-5763

<http://www.oregon.gov/oha/HSD/AMH/Pages/index.aspx>

Addictions and Mental Health Services provides treatment services to children and adults through Community Mental Health Programs and the Oregon State Hospital. Information about the Oregon State Hospital is available at [www.oregon.gov/oha/OSH/Pages/index.aspx](http://www.oregon.gov/oha/OSH/Pages/index.aspx).

**Oregon Senior Health Insurance Benefits Assistance (SHIBA) Program**

P.O. Box 14480

Salem, OR 97309

Phone: 800-722-4134

<http://www.oregon.gov/dcbs/shiba/Pages/index.aspx>

This program operated by the state Department of Consumer and Business Services uses staff and trained volunteers to provide information and counseling about Medicare and Medicare supplement insurance, including Medicare Advantage plans and Part D prescription drug plans. SHIBA publishes the annual Oregon Guide to Medicare Insurance Plans, which is available online on the program's website.

**STATEWIDE ORGANIZATIONS PROVIDING SERVICES TO ELDERS, PEOPLE WITH DISABILITIES, AND THEIR FAMILIES:**

**Alzheimer's Association Oregon Chapter**

24/7 Helpline: 800-272-3900

[www.alz.org/oregon](http://www.alz.org/oregon)

The Alzheimer's Association Oregon Chapter is a non-profit organization with offices in Bend, Eugene, Medford, Salem, and Portland providing education and support programs and advocacy for individuals with Alzheimer's Disease and related dementias and their families and caregivers.

**Autism Society of Oregon**

5100 SW Macadam Avenue, Suite 400

Portland, OR 97239

Phone: 888-288-4761

[www.autismsocietyoregon.org](http://www.autismsocietyoregon.org)

The non-profit Autism Society of Oregon provides resources, education, advocacy, and support to individuals and families living with autism.

**Brain Injury Alliance of Oregon**

Phone: 800-544-5243

[www.biaoregon.org](http://www.biaoregon.org)

The Brain Injury Alliance of Oregon is a non-profit organization which provides advocacy, education, and support groups around the state for individuals with brain injuries and their families. Some support groups are for people who have experienced strokes.

**National Alliance on Mental Illness Oregon (NAMI)**

4701 SE 24th Ave. Ste. E

Portland, OR 97202

503-230-8009

[www.namior.org](http://www.namior.org)

NAMI Oregon is a non-profit organization with 15 local chapters providing education and support programs and advocacy for individuals living with mental illness and their families.

**The Arc Oregon**

2405 Front Street NE, Suite #120

Salem OR 97301

Phone: 503-581-2726

[www.thearcoregon.org](http://www.thearcoregon.org)

The Arc Oregon is a non-profit organization with 11 local chapters providing education and support programs and advocacy for individuals with intellectual and developmental disabilities and their families.

**ADDITIONAL RESOURCES:****Aging Life Care Association**

3275 W. Ina Road, Suite 130

Tucson, AZ 85741-2198

Phone: 520-881-8008

<http://www.aginglifecare.org/>

Aging Life Care Association (formerly the National Association of Professional Geriatric Care Managers) is a national non-profit membership organization for geriatric care managers. The website includes a member directory which can be searched by location and name.

**Oregon ABLÉ Savings Plan**

State Treasury

350 Winter Street NE, Suite 100

Salem, OR 97301

Phone: 1-844-999-ABLE or (503) 373-1903

<http://oregonablesavings.com/>

Created as a result of the Achieving a Better Life Experience Act (ABLE Act) of 2014, ABLE accounts allow individuals who became disabled before age 26 to save for future disability-related expenses without the assets counting against the resource limits for SSI, Medicaid, and other needs-based government benefits.



**Special Needs Alliance**

7739 E. Broadway Blvd. #362

Tucson, AZ 85710

Phone: 877-572-8472

<http://www.specialneedsalliance.org/>

The Special Needs Alliance is made up of attorneys who advise individuals with disabilities, their families, and the professionals who work with them about public benefits, planning for disabilities, guardianships and conservatorships, and special education issues. SNA publishes *Administering a Special Needs Trust: A Handbook for Trustees* in English and in Spanish. The free handbook can be downloaded from the website.

**True Link Financial, Inc.**

PO Box 581

San Francisco, CA 94104

Phone: 866-984-8576

[www.truelinkfinancial.com/card/true-link-card](http://www.truelinkfinancial.com/card/true-link-card)

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