

Guardianship & Conservatorship



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WHAT THEY DO

Guardians and conservators support the personal or financial well-being of children and those who profoundly struggle in making decisions or suffer from cognitive impairments.

OVERSIGHT

The Idaho Supreme Court has taken steps to ensure professional guardians and conservators have qualifications to manage a vulnerable person's finances or well-being. Professional guardians and conservators must meet the minimum qualifications of the Center on Guardian Certification which include compliance with ethical standards, understanding basic guardianship principles and laws, and accumulation of continuing education credits. Additionally, both conservators and guardians are required to submit information to ensure compliance with these ethical standards and laws.

Conservators are required to submit accounting reports to the Administrative Office of the Courts to identify possible mismanagement, fraud, or misappropriation of funds controlled by the conservator. In FY2020, district court clerks submitted 3,207 accounting reports for review, totaling nearly \$350 million in assets under conservatorship.

Conservators controlled over \$55 million more in assets in FY2020 than they did the year before.

Guardians are required to submit reports annually that include information on actions taken, current

functioning, and concerns regarding the person under guardianship. In 2017, guardianship & conservatorship monitoring coordinators in each judicial district began providing professional reviews of the guardians' reports and follow up, which may include requesting a hearing, conducting an in-person visit of the protected person, or contacting those with information pertaining to the well-being of the protected person.

In FY2020 the GC monitoring coordinators reviewed 5,980 annual reports and requested or conducted follow up in 569 of those cases.

COVID-19 RESPONSE

The COVID-19 Pandemic impacted those served by guardians and conservators more than most. These people are often elderly, in congregate care, or have significant health care needs. With GC monitoring coordinators in-person visits suspended since March, video calls became instrumental in evaluating living environments of protected persons without compromising safety. The professionals monitoring guardians and conservators have also been fielding questions on how to submit reports or care for protected persons when in-person visiting is limited. Court staff have been able to provide legal information, share resources for community support, and generally put fears to rest in an unpredictable time.

