

Guardianship & Conservatorship



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WHAT THEY DO

Every year, thousands of Idahoans who are incapacitated, individuals with developmental disabilities, and minor children are protected by court-appointed guardians and conservators to help ensure they are supported in their personal and financial matters. Because guardianships and conservatorships affect the fundamental rights of these individuals, some of whom may be subject to abuse, neglect, and exploitation, the court system helps serve as protection for some of these most vulnerable members of our society.

OVERSIGHT

When a court appoints a guardian or conservator for a minor or adult, the court has a duty to monitor each guardian and conservator to ensure all requirements under Idaho law are satisfied on an ongoing basis. Studies have shown that up to 47% of participants who have dementia have been mistreated by a caregiver. Individuals with developmental disabilities are four to ten times more likely to be abused than their peers without disabilities.¹

In response to these concerns, the Idaho Legislature funded guardianship & conservatorship monitoring coordinators (GCM coordinators) in all seven judicial districts beginning in FY2018. The GCM coordinators provide vital support for court staff, stakeholders, and the public. Their duties include providing subject matter expertise, reviewing annual reports filed by guardians and conservators, and answering inquiries about guardianships and conservatorships.

In the last year, the GCM coordinators reviewed **6,644 guardianship reports** and **3,421 financial reports**, many of which required follow-up actions such as requesting a court hearing, scheduling a home visit, or interviewing those who have close contact with persons under guardianship

There are currently **9,578 open guardianship and conservatorship cases** throughout the state. In FY2021, **over \$368.5 million in assets** were managed under conservatorships; this was approximately \$18 million more than the previous year.

ADJUSTING TO THE PANDEMIC

Over the last year, the use of remote hearings has meant GCM coordinators have less need to travel, and they have attended more hearings throughout their districts as a result. The coordinators report that they are being used by the courts more than ever before due to this increased availability.

Coordinators are getting more calls from guardians of minor children with questions about educational resources, access to health care, and general assistance. These guardians have required extra support during the pandemic due to school closures, limited resources and supports, and increased stress.

Coordinators continue to provide local training for relative and professional guardians across our state. They have assisted counties in establishing Boards of Community Guardians to expand services into rural regions of Idaho.

¹http://www.centeronelderabuse.org/docs/pwdementia_factsheet.pdf

