

In the Supreme Court of the State of Idaho

**IN RE: GUARDIANSHIP AND)
CONSERVATORSHIP MONITORING) AMENDED
COORDINATOR) ORDER**

In accordance with Idaho Code § 31-3201G, the Court administers the Guardianship and Conservatorship Project “to improve reporting and monitoring systems and processes for the protection of persons and their assets where a guardian or conservator has been appointed.”

The Court Monitoring of Protected Persons Program (CMPP) is a primary element of the Guardianship and Conservatorship Project and is designed to ensure that persons under guardianship are protected against exploitation, abuse, and neglect through the use of district-wide Guardianship and Conservatorship Monitoring coordinators (Coordinators). Coordinator positions are funded by the Court in each of the seven (7) judicial districts with supervision by respective Trial Court Administrators and policy guidance from the Statewide Guardianship and Conservatorship Manager.

NOW THEREFORE, it is hereby ordered that the duties and authority of the coordinators in each of the seven (7) judicial districts include, but are not limited to, the following:

- 1) Coordinators will monitor the well-being of protected persons through review of reports, interviews, and home visits;
- 2) Coordinators will conduct interviews of protected persons, guardians, and other stakeholders regarding the welfare of protected persons, and write reports regarding the status of the case when necessary to facilitate the court’s oversight of guardians and conservators; and
- 3) For the purpose of carrying out his/her appointed duties, the coordinators shall have access to all records of the parties in appointed cases, including: all court filings, including attachments, in guardianship and conservatorship proceedings, whether temporary or permanent, and whether for an adult, or a minor, as specified in Idaho Court Administrative Rule 32(g)(19). Additionally, the coordinators will, with approval of the custodial judge, have access to any other case file which may contain information relevant to the appointed case.
- 4) If a Coordinator uncovers information which raises a concern about a guardian or conservator’s compliance with their statutory duties, and the Coordinator has reasonable cause to believe the person under guardianship or conservatorship is being abused, neglected, and/or exploited, the Coordinator shall inform the court and thereafter may refer information about a specific case to the following entities without further order of the court:

a) the appropriate law enforcement agency;

b) the prosecutor's office;

c) licensing board; or

d) appropriate investigative agency which may include the Idaho Department of Health and Welfare, Idaho Commission on Aging, the Area Agency on Aging, or the Veterans Administration. The Coordinator shall limit the information provided to the referred agency to the name and address of the person under guardianship, the name and address of the alleged perpetrator, if known, and the nature and extent of the suspected abuse, neglect or exploitation.

IT IS FURTHER ORDERED, that this order shall be effective immediately.

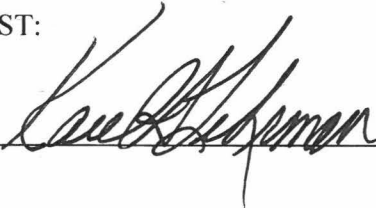
DATED this 25th day of April, 2019.

By Order of the Supreme Court



Roger S. Burdick, Chief Justice

ATTEST:



Clerk

I, Karel A. Lehrman, Clerk of the Supreme Court/
Court of Appeals of the State of Idaho, do hereby
certify that the above is a true and correct copy of
the Amended Order
entered in the above entitled cause and now on
record in my office.

WITNESS my hand and the Seal of this Court 4-23-17

KAREL A. LEHRMAN

Clerk

By:  Chief Deputy