

Guardianship Compliance Pilot Project

Overview

- The Office of Court Administration is launching the Guardianship Compliance Pilot Project to provide additional resources to courts handling guardianship cases.
 - Through this project, guardianship compliance specialists will be available to:
 - Review adult guardianship cases to identify reporting deficiencies by the guardian.
 - Audit annual accountings and report findings back to the court.
 - Work with courts to develop best practices in managing guardianship cases.
 - Assistance is available to counties without a statutory probate court, significant number of guardianship cases reported, no cost to the county.
 - OCA will also develop an electronic database to monitor guardianship filings of initial inventory and annual accountings.

- The Guardianship Compliance Project will be modeled after the Minnesota's Conservator Account Auditing Program (CAAP).
 - Minnesota operates statewide to audit conservator accounts and provide information and recommendations to the district courts and to conservators.
 - The mission of the Conservator Account Auditing Program (CAAP) is to safeguard the assets of protected persons through the oversight of conservators by conducting professional compliance audits.
 - Minnesota uses an online conservator account reporting application called MyMNConservator (MMC).
 - Allows conservators to file their inventory and annual accountings electronically.
 - We are currently working with Cate Boyko-CAAP Program Manager.
 - She will provide technical requirements for their database.
 - She has also provided audit report examples from each of their 4 audit levels.
 - Level 1 – Good/no concerns
 - Level 2 – Minor accounting errors
 - Level 3 – Multiple/major adjustments required
 - Level 4 – Concerns of loss/Judicial review necessary

- The Office of Court Administration will report on the performance of the Guardianship Compliance Project in a study to the Legislature no later than January 1, 2017. The report shall include at least the following:
 - The number of courts involved in the guardianship compliance project.
 - The number of guardianship cases reviewed by the guardianship compliance project.
 - The number of reviewed guardianship cases found to be out of compliance with statutorily required reporting.
 - The number of cases reported to the court for ward well-being or financial exploitation concerns.
 - The status of technology developed to monitor guardianship filings

- So, what have we done so far?
 - OCA has been authorized three auditor/investigator positions to be called guardianship compliance specialists.
 - The positions are currently posted.
 - We have started the interview process and have conducted seven interviews for the posted positions.
 - We have made contact with Webb, Hays, Guadalupe, and Comal counties who are interested in participating in the program.
 - We are attending the NCSC Court Technology Conference and workshop on their Minnesota's database (September 22-24) in Minneapolis.
 - Working with auditor Lynn McGinnis, Smith County Court Auditor, to set up training and assist in review guardianship cases in that County. Talked to Lynn McGinnis they are on board and excited about assistance.
 - We are also currently developing procedures and forms for the program.
 - Working with Judge Polly Spencer and Don Ford in developing procedures for this position.

- The goal of this project is to help courts protect our most vulnerable citizens and their assets.