

PROMISING PRACTICES IN ADULT GUARDIANSHIP IN OHIO

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INTRODUCTION

In 2016 researchers from Miami University conducted the *Adult Guardianship in Ohio: Promising Practices* study which involved interviews with key informants¹ and a statewide survey of adult guardianship practices across all of Ohio's counties.^{2, 3} The study indicated a number of challenges involved in addressing adult guardianship such as funding, monitoring guardianships, the increased complexity of cases, and the lack of applicants to serve as guardians. In addition, respondents shared information about innovative approaches they had put in place to address these challenges. Five counties that implemented innovative strategies were identified and invited to participate in focus groups aimed at identifying best practices and strategies used to address the challenges probate courts are facing in administering adult guardianships. Butler, Cuyahoga, Franklin, Lorain, and Stark counties participated.

In each county, a focus group was conducted in which participants were asked open-ended questions about the strengths of their program, what makes it unique, models for volunteer engagement, and relationships with community partners. Probate court judges and other court staff, along with volunteer, family member, and professional guardians provided information about the strengths and unique features of a program or approach to improve outcomes in adult guardianship. In this brief, model programs and approaches are highlighted to share ideas that may help other counties in Ohio address a specific challenge or produce the best possible outcome for the people served by guardians.

Counties in Ohio are using a variety of promising practices to overcome challenges faced by the courts and guardians in administering adult guardianship within a framework of three themes common to all five counties: 1) resource stability, 2) commitment to excellence, and 3) community collaboration. More detailed information about each county, including contact persons, was updated in 2019 and can be found in county profiles available on the Scripps Gerontology Center website. A link to these profiles is provided on page four of this brief.

*Lack of funding
and resources
creates many challenges
in adult guardianship*

*If family is not able or
willing to serve
volunteer and
professional
guardians are
crucial*

*Five of Ohio's larger
counties are using
innovative
approaches
in guardianship*

FINDINGS

RESOURCE STABILITY

The biggest challenge is the lack of funding available for both the courts and guardianship programs to assist with monitoring existing cases and managing new guardianships. The five counties are using different approaches to ensure resource stability through securing financial resources, starting a professional or volunteer guardian program, and using diverse programmatic strategies to ensure the availability, training, and support of volunteer, family member, and professional guardians.

Securing financial resources

Some courts (Lorain and Cuyahoga counties) have increased the financial resources available for adult guardianship by instituting an additional fee on some of the filings in the probate court. In some cases, courts and non-profit organizations have secured grants to pilot programs, while other counties are exploring the option of professional guardian services that are fee-for-service and supported by funding through a collaboration of community partners.

Starting a professional or volunteer guardian program

All of the counties ascribed a high value to having a professional staff and/or volunteer guardian program in their counties. While there are many family members who serve as guardians, in some cases, family members are unable or not willing, which necessitates that volunteers or professionals serve as guardian. Participants reported these programs gave them flexibility in having professionals available to manage complex cases, and dedicated volunteers willing to serve as guardians. Some participants mentioned their community has a more positive perception of guardianship services when they are provided by a non-profit organization. Further, the ability of non-profits to engage in fundraising is beneficial because the court is not permitted to do so.

- To address the lack of professional guardians, Franklin County Probate Court piloted the Guardianship Service Board⁴, Ohio's first public-public collaboration to meet a need for professional guardian services.
- In Butler County, support was built for a volunteer and professional guardian services program called LifeSpan, a program that is now run through a local non-profit organization, Community First Solutions, through bringing together entities likely to need guardianship services, such as the Mental Health Board, the Board of Developmental Disabilities, and hospitals.

Ensuring the availability, training, and support of volunteer, family member, and professional guardians

Counties have developed initial training for guardians, helpful tools and resources, such as handbooks, and options for ongoing training. These, in conjunction with online materials developed by the Supreme Court of Ohio, provide guardians with a wealth of assistance in navigating their responsibilities. In addition, the courts and guardianship programs provide instrumental and emotional support to guardians by answering questions and connecting them with community resources.

- In Stark County, the Court Angel Program is one example of how volunteers can be the “eyes and ears” of the court to provide support to both the guardian and the person under guardianship. After receiving training on guardianship and how to detect abuse and neglect, volunteers complete an in-person reporting form on the status of the guardianship and the person under guardianship. Reports are then reviewed by court staff who complete follow-ups.

COMMITMENT TO EXCELLENCE

All of the featured counties demonstrated characteristics that represent their commitment to excellence, such as servant leadership and a vision to improve standards of practice through person-centered care. The probate judges were skilled at fostering collaborations between community leaders and raising awareness of the need for adult guardianship services. They all demonstrated commitment to helping people in a manner consistent with standards of practice set forth by the National Guardianship Association.⁵ Judge Walther of Lorain County stated, *“As a probate judge, I’m 50% judge, 50% administrator, and 50% social worker.”*

- Butler County also initiated the “Connections Program,” whereby court staff complete face-to-face visits with the guardian and the person under guardianship to build a relationship between them and the court. The program aims to assure the well-being of the person under guardianship through visitation and the court creates a profile of the individual to preserve a continuity of care should their guardian change.

COMMUNITY COLLABORATION

Strong community collaboration is integral to establishing a structured approach for adult guardianship, as well as delivering a coordinated response to address challenging cases. The selected counties identified gaps in guardianship services and took steps to create new programs or find ways to work together for better outcomes. Organizations and entities that are affected by guardianship often have similar challenges and can benefit greatly by working together. In addition to working relationships with professionals and agencies, these counties have active interdisciplinary teams (I-Teams), a group of local stakeholders brought together to resolve a specific issue or problem in their county to improve adult guardianship practices and address challenging cases that span multiple social service and health care systems. I-Team members include representatives from county boards and organizations, the probate court, Adult Protective Services, and law enforcement. One I-Team member in Cuyahoga County shared, *“We are able to collaborate and problem solve... and open communication is really critical for the work that we do.”*

FEATURED COUNTY PROFILES

To access the profiles of each featured county, go to <https://bit.ly/3cudiyV>

CONCLUSIONS

Ohio counties are implementing promising practices in adult guardianship which require resource stability, a commitment to excellence, and community collaboration. Progress in these counties would not be possible without the commitment of strong local leaders who have determined what resources are available and brought them together to support adult guardianship. We highlight these innovative strategies in hopes that they may be modified to meet the needs in other counties in Ohio because it is paramount to continue to build and support a structured approach to adult guardianship.

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ENDNOTES

¹Reece, H. R., & Roberts, A. R. (2016). *A study of adult guardianship in Ohio: Preliminary results*. Retrieved from: <http://miamioh.edu/cas/academics/centers/scripps/research/publications/2016/02/Study-of-Adult-Guardianship-in-Ohio-Preliminary-Results.html>

²Reece, H. R., & Roberts, A. R. (2017). *Ohio guardianship, guardians, and the courts: Findings from a survey of adult guardianship in Ohio*. [Full Report] Retrieved from: <http://miamioh.edu/cas/academics/centers/scripps/research/publications/2017/08/Ohio-Guardianship-Survey-Report.html>

³Roberts, A. R., & Reece, H. R. (2017). *The probate courts, guardianship, and guardians: Findings from a survey of adult guardianship in Ohio*. [Research Brief] Retrieved from: <http://miamioh.edu/cas/academics/centers/scripps/research/publications/2017/08/Ohio-Guardianship-Survey-Report.html>

⁴Franklin County Guardianship Service Board (n.d.). <https://www.guardian.franklincountyohio.gov/>

⁵National Guardianship Association (NGA). (2013). *Standards of practice*. (4th ed.). Retrieved from: <https://www.guardianship.org/standards/>



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