

ACHIEVEMENT AWARDS



SUBMISSION FORM

All submission forms must include the following information. Separate submission forms must be turned in for each eligible program. **Deadline: July 1, 2023.** Please include this submission form with the electronic entry. If you do not receive an email confirming receipt of your entry within 3 days of submission, please contact [Gage Harter](#).


PROGRAM INFORMATION

County: Arlington County
Program Title: Arlington County's Volunteer Guardianship Program
Program Category: Health and Human Services

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Arlington County's Volunteer Guardianship Program

Executive Summary

Arlington County's Guardianship Program is a comprehensive initiative aimed at promoting the welfare and protection of vulnerable individuals in need of surrogate decision-making and advocacy. It aims to safeguard the rights, dignity, and overall well-being of vulnerable individuals, ensuring their needs and interests are appropriately represented and protected. The Guardianship Program is designed to achieve the following key objectives:

Enhanced Protection: The program ensures the protection of the rights and interests of individuals who lack the capacity to make important life decisions independently. The program serves as a vital safeguard against abuse, neglect, and exploitation.

Person-Centered Approach: The program prioritizes a person-centered approach, recognizing the unique needs and preferences of each individual. Through ongoing communication and monitoring, the program aims to ensure that the appointed guardian acts in accordance with the wishes and values of the person under guardianship.

Decision-Making Support: The program offers guidance to guardians in making informed decisions on behalf of the individual under their care. This includes access to resources and regular monitoring to ensure that decisions are aligned with the best interests of the incapacitated person.

Advocacy and Representation: The program advocates for the rights and interests of individuals under guardianship, serving as their voice in legal and social contexts. Through regular interaction with stakeholders the program strives to ensure that the needs and preferences of the individual are respected and upheld.

Education and Training: The program recognizes the importance of continuous education for guardians. By offering comprehensive training programs, workshops, and resources, the program equips guardians with the necessary skills and knowledge to fulfill their roles effectively and ethically.

Program Overview

Arlington County's Guardianship Program connects court appointed guardians of incapacitated adults with a dedicated Guardianship Coordinator to support them in managing the care and needs of their loved ones. The program serves as a landing ground for guardians who may otherwise not know how to access key county services such as Adult Services, Nursing Case Management, Home Delivered Meals, and Medicaid. Additionally, the Coordinator can provide information about the guardianship process, support the proposed guardian along their journey, and explore least restrictive options if available.

The program also recruits, trains, and supports court-appointed volunteer guardians for individuals who can no longer make informed decisions for themselves. Created in 1986 to address the growing need for more court appointed fiduciaries for the county's human services clients, Arlington County's Volunteer Guardianship Program is one of a small number of volunteer-based guardianship programs in the entire country and is currently the only one of its kind in the state. Community members in need of this service have been determined by the Circuit Court to be incapacitated and cannot turn to friends, family, or neighbors who are willing and able to be appointed as guardian. Volunteer guardians come from a variety of backgrounds including practicing attorneys, retired federal employees, and social workers. The program provides initial and ongoing training to volunteer guardians and provides support after appointment.

Application

Arlington County's Guardianship Program connects court appointed guardians of incapacitated adults with a dedicated Guardianship Coordinator to support them in managing the care and needs of their loved ones. The program serves as a landing ground for guardians who may otherwise not know how to access key county services such as Adult Services, Nursing Case Management, Home Delivered Meals, and Medicaid. Additionally, the Coordinator can provide information about the guardianship process, support the proposed guardian along their journey, and explore least restrictive options if available. Arlington County's program presents a comprehensive framework for protecting the rights and welfare of vulnerable individuals who require assistance in decision-making and advocacy. By providing dedicated guardianship services, the program aims to enhance protection, ensure person-centered decision-making, and provide ongoing support and advocacy.

Challenge

According to the U.S. Census Bureau the number of Americans aged 65 and older is projected to nearly double from 52 million in 2018 to 95 million by 2060. By 2034 the number of older adults is projected to outnumber children for the first time in U.S. history. As the population of older adults grows, the number of people living with age related diseases such as dementia will rise. It is estimated that more than 9 million Americans could be living with dementia by 2030. In addition to the growing aging population in the U.S., it is estimated that 5% of the adult population lives with a serious mental illness and 17% live with a developmental disability. All these factors can contribute to an individual being deemed incapacitated. According to the Code of Virginia; legally incapacitated means that a person has been adjudicated as incapacitated by a circuit court because of a mental or physical condition that renders them, either wholly or partially, incapable of taking care of themselves or their

estate. When an individual is deemed to be incapacitated the court appoints another person to serve as the substitute decision maker for the incapacitated person. This person can be a: family member, friend, professional such as an attorney, or a member of a public guardianship program. This substitute decision maker is called a guardian.

Serving as a guardian for another individual is no small task. Guardians are responsible for decisions concerning a person's support, care, health, safety, residence, and other personal matters. Guardians are expected, to the extent feasible, to encourage the incapacitated adult to act for him or herself and must consider their wishes and values when making decisions. While guardians can and should be supportive, guardianship also typically takes away basic rights such as the right to vote, to get married, to make medical decisions, and to sign legal documents. Guardians are also required to file annual reports on the condition of the incapacitated person and the care they have received.

Arlington County recognized that the growing population of older adults would have an increased need for guardians of individuals who are deemed incapacitated. The county also realized that not every person who needs a guardian has a friend or family member who can serve as their guardian or can afford to pay an attorney to serve. This need prompted Arlington to create a volunteer guardianship program.

Program Benefits

The Volunteer Guardianship program has existed for over 20 years. It once had a dedicated position to recruit, train, and support court-appointed volunteer guardians and conservators for individuals who can no longer make decisions for themselves. Arlington's volunteers represent a wide variety of backgrounds and occupations, from practicing and retired attorneys to federal employees and social workers. All these people share a passion for helping their neighbors in need. The county screens prospective volunteers through extensive interviews, a criminal background check, and a credit history

report. Upon completion of the onboarding training which includes HIPAA and Mandated Reporter course, volunteers go on to the county's active roster. Volunteers share their background and preferences with the guardianship coordinator who is then able to match clients in need of guardians with a volunteer who is best able to serve. The guardianship coordinator supports the volunteer guardian from appointment onward including with annual reporting, connecting to county services, and end of life planning. Currently the county maintains a robust pool of 25 volunteer guardians with two who are ready to accept new cases.

Addressing the Challenge

With the understanding that guardianship is a difficult process to navigate from petition to court appointment, Arlington County Department of Human Services (DHS) dedicated a full-time management intern position to serve as a Guardianship Coordinator. This person supports court appointed guardians and reviews the annual Report of Guardian for an Incapacitated Person. DHS has been fortunate to have the management intern position since 2019 and fulfills the primary duties of a permanent full-time employee.

The Management Intern Guardianship Coordinator maintains a list of active elder law attorneys who practice in Arlington and provides this resource to community members who are beginning the petitioning process. This list also includes information about Legal Services of Northern Virginia and the Elder Law Clinic at William and Mary University, both of which serve clients for whom legal services may be cost prohibitive. The program also sends welcome packets to newly appointed guardians that outline their responsibilities and includes their actual reporting periods. Many guardians become confused by the language of the court provided instructions: "This report should be completed and submitted to the local department of social services four months after appointment as the guardian and annually thereafter." To mitigate confusion the guardianship coordinator personalizes each welcome letter with

the guardian's name, incapacitated person's name, the period and due date for the initial report, and the period and due date for the annual report. The letter also includes contact information for the coordinator should guardians have any questions or need assistance with completing the report. Given the diverse population of Arlington County, the program also serves non-English speaking clients by offering interpretation services. Since the guardian report form is not available in languages other than English, guardians are able to call the coordinator to set up a time to come into the office for language interpretation services. They work with the coordinator and a language interpreter to complete the form and discuss any needs or concerns regarding the care of the incapacitated person.

The program also maintains a position on the Working Interdisciplinary Network of Guardianship Stakeholders (WINGS) state partnership. The program coordinator attends quarterly state-wide meetings with judges, clerks, and other social service representatives to discuss changes affecting guardianship policy and practice through planning and action. In addition to sitting on the state committee, the program coordinator also participates in the training and resources sub-committee and attends monthly meetings to discuss what further training guardians would benefit from and how those trainings could be implemented.

Outcome and Results

The annual reporting requirement for guardians means that it is necessary for the guardianship coordinator to track reports and ensure they are being submitted in a timely manner. This process involves sending reminder letters each month reminding guardians of their upcoming due date as well as sending notices when guardians have not submitted their reports. Prior to the creation of the Management Intern Guardianship Coordinator position, Arlington County had 130 delinquent reports in July 2020. This meant that 30% of all guardianship reports in the county were 90 or more days overdue. Following the creation of a dedicated position that allowed someone to monitor reports, dedicate time

to reminding guardians, and was able to foster relationships with guardians, the delinquency rate decreased to only 22 delinquent reports as of March 2023.

This decrease can be attributed to two main factors. The first is the resumption of monthly reminder letters which was made possible by removing the guardianship program's full case load from an adult services worker with their own caseload and redirecting it to the coordinator. The second contributing factor has been a collaborative effort with the Circuit Court of Arlington. Prior to forming a strong partnership with the court, the guardianship program was only required to submit a list of delinquent guardians to the clerk's office every six months. After partnering with the court, the program maintains regular communication with both the probate clerk and a sitting judge, sending orders to show cause and orders to appear. The court also supports the program in efforts to locate clients and guardians with whom contact has been lost and accepts relevant documentation to close cases. This contact has allowed the program to close cases that had been delinquent since as early as 2016, and ensures the current delinquent reports are only from the past year.

Arlington's volunteer guardianship program stands out as an exceptional initiative and is a trailblazer given the limited number of similar programs nationwide. Its remarkable success in meeting the increasing demand for guardians has led to numerous partnerships with jurisdictions across Virginia. In fact, other regions seeking solutions for finding guardians often turn to Arlington's program as a model, requesting meetings to discuss its inception, implementation, and strategies for sustaining a robust pool of dedicated guardians. These collaborative interactions between jurisdictions foster an exchange of ideas and experiences, allowing for insightful discussions on future recruitment endeavors and the emerging trends in the field.

Arlington's program serves as an invaluable resource, empowering other communities to develop their own effective approaches to address the critical need for guardianship services. The program can be replicated by other counties since it is mainly a volunteer program and relies on a

unique partnership of local government and community members. By sharing knowledge, best practices, and lessons learned, these partnerships contribute to the collective advancement of guardianship programs, ensuring that vulnerable individuals Virginia receive the care and support they deserve.

Overall, Arlington County's volunteer guardianship program has effectively responded to the growing need for guardians of incapacitated individuals. By harnessing the dedication of volunteers, providing comprehensive support, and fostering partnerships with the court and multidisciplinary professionals, the program has made significant strides in enhancing the well-being and care of those who require substitute decision-makers.