



Guardian Monitoring Program Workgroup Meeting

Tuesday, July 12, 2022

Zoom Meeting

8:00 a.m. – 9:00 a.m.

Meeting Minutes

Members Present

Ms. Sujatha Jagadeesh Branch
Ms. Jacalyn Brudvik
Ms. Julie Higuera
Ms. Ana (Forston) Kemmerer
Mr. David Lord
Ms. Audrey Pitigliano
Ms. Jane Severin
Mr. Daniel Smerken
Ms. Tracie Thompson
Ms. Arielle Finney

Staff

Ms. Amber Collins
Ms. Heather Lucas
Ms. Alexis Pullen
Ms. Nichola Russell
Ms. Stacey Johnson

Members Not Present

Judge Nancy Retsinas

Guests – No guests invited/admitted

1. Meeting Called to Order

Ms. Amber Collins called the July 12, 2022 Guardian Monitoring Program (GMP) Workgroup meeting to order at 8:01 a.m.

2. Welcome

Ms. Collins welcomed all present and spoke about the meeting agenda. She stated Ms. Nichola Russell had an idea to start today's conversation and turned over the floor to Ms. Russell.

3. Recap & Updates

There were no items on the agenda for Recap & Updates.

4. Discussion Topics

a. Volunteer Operations – Task Assignment Process

The document "GMP Volunteer Task Assignment Process.pdf" was sent to the GMP Workgroup prior to the July 12th meeting. Ms. Russell shared this document via the Zoom screen share

feature and stated the GMP Workgroup may have questions, insights or knowledge to share with her and Ms. Alexis Pullen, and encouraged them to do so.

Ms. Russell stated in past GMP Workgroup meetings, Volunteer Operations (VO) staff introduced and discussed the three pillar GMP volunteer roles: records researcher, audit volunteer and guardian liaison. She stated records researchers are the volunteers that go in to make sure records are up to date, whether reports are pending or delinquent, and to get a sense of where the cases are. She stated the audit volunteer focuses on the reports and reviews financials. She stated the guardian liaison role is flexible, and they can meet with guardians or conduct visits.

Ms. Russell stated she and Ms. Pullen have been working on finalizing the purpose, goals, responsibilities, and potential duties and tasks for each of these positions. She stated they're moving pretty close to finalizing position descriptions. Ms. Russell added VO staff are thinking about being flexible throughout this process.

Ms. Russell stated as the GMP moves closer to launching the Volunteer Operations with Clark County and Pacific & Wahkiakum Counties, VO staff need to figure out how to integrate the volunteers into the existing guardian monitoring activities at each jurisdiction. She stated there are a lot of process questions that come up in getting volunteers out there and figuring out how to help in the guardian monitoring process.

Ms. Russell stated the big process question for VO staff is the who, what, when, and how of identifying, then assigning tasks, and monitoring the activities or tasks for each role in a county. She added when thinking through task processes, VO staff have to work to keep volunteers coming on board from being overwhelming by the court and court staff. She added the process has to be feasible for GMP staff, and that's the push and pull for how GMP staff need to work.

Ms. Russell stated as she goes through this presentation, there are a bunch of questions on her mind, so she'll ask questions as she goes. She asked the GMP Workgroup who identifies the tasks for assignment. She stated it could be GMP staff, but there's a lot of questions around how that would work.

Ms. Russell asked the GMP Workgroup who assigns the tasks and who monitors the tasks through completion. She stated once those tasks are assigned, it's really important that GMP staff support the volunteers as they work through tasks. She asked who will track volunteer work, who's tracking tasks completed, and the issues that come up. She stated she thinks it will be GMP staff. She asked if it is GMP staff, how sustainable will that be as the GMP expands.

Ms. Russell asked the GMP Workgroup who will provide on-site support and connection. She stated GMP staff is thinking that's somewhat of a shared responsibility with court staff, but there are thoughts about not overly burdening court staff.

Ms. Russell asked the GMP Workgroup what tasks will be prioritized for assignment. She stated she is thinking tasks will be prioritized court by court. She asked what systems can be used to track volunteer assignments through completion. She stated she thinks the GMP will be engaging volunteers before there's a GTMS (Guardian Tracking & Monitoring System), so there will be in-between phases as VO staff track assignments.

Ms. Russell asked the GMP Workgroup what are some critical outcome measures for the VO. She stated VO staff have already been giving it a lot of thought, they have some measures, and

will take a deeper dive. She asked what security clearance will GMP staff and volunteers need to access Odyssey and documents, along with any of the document management systems. She stated she has a number of “how” questions as well, like “how are we going to do this.”

Ms. Russell spoke about the task assignment process PDF she was sharing, stating the flow chart kicks in with appointment, and there are triggers like reports being due, or reports received. She stated this is the area where the biggest questions are, adding the assignment process seems pretty solid, but VO staff need to pull assignment lists and asked if that is a court staff duty. She stated the lists could include guardianships pending renewal, delinquent reports, or the more active guardianships that are up to date but they trigger a review.

Ms. Russell stated court staff coordinate with a GMP Regional Coordinator of Volunteers to assign tasks. She added this is the work we have in front of us and what we need to figure out. She stated if there are delinquent reports or an address that came back, GMP staff could assign tasks due. She stated the records researcher confirms the address and sends reminders: once they complete those tasks, they complete a report and send it to GMP staff.

Ms. Russell stated when the volunteer sends a reminder, they can track to see if that report has come in. She added if the report is in, the volunteer reports to GMP staff that the task is complete, or if the report isn't complete, that brings it back to needing to be assigned. She stated at that point, GMP staff can assign the task to the guardian liaison or whatever court staff, depending on the process.

Ms. Russell stated the guardian liaison can offer support, talk about whatever's coming due, and see if they can bring the guardian into compliance. She added the guardian liaison would contact the guardian by phone or email, see if they can assist, and may schedule a visit with the guardian or adult subject to guardianship. She stated the guardian liaison would submit their report, but GMP staff may have questions about the report and where it goes: whether it goes to GMP staff, to court staff or both, especially if there are concerns.

Ms. Russell stated another task assigned to the volunteer auditor is when the annual report is received, the auditor can conduct a preliminary report: they'll review the annual report for completeness, for accuracy, and will complete the preliminary report and forward it to GMP staff. She added if discrepancies exist, the auditor will forward their preliminary report to court staff to work out what needs to happen next. She stated if there is no issue, the report is completed and GMP staff can mark it off: all info needs to be noted with whatever system we're using until the GTMS is deployed.

Ms. Russell asked the GMP Workgroup if they were seeing any gaps or things GMP staff haven't considered, particularly around courts working with the GMP to assign tasks and complete reports.

Ms. Audrey Pitigliano stated she had a question regarding “court liaison” and “guardian liaison.” Ms. Russell replied it was a typo. Ms. Pitigliano stated it made her think about the Guardian ad Litem and court visitor roles, and how different their roles are from the GMP volunteer roles. Ms. Russell replied GMP volunteer roles are to go out and assess, figure out what level of guardianship is needed, and if guardianship is appropriate. She stated she knows from some GMP staff visits, a court visitor can be sent back out depending on issues raised and added the guardian liaison is there to assist the guardian, and possibly the adult subject to guardianship. Ms. Russell stated GMP staff have to think about the court visitor position.

Ms. Ana (Forston) Kemmerer stated she thought long and hard about these positions, and wants to make clear her intent is concern and clarity: when she reads the guardian liaison description, it feels like a court visitor. She stated with her historic knowledge and what the Spokane County GMP has done, she's not saying that's the only way to do it, but the guardian liaison role has way too much to do in giving assistance to guardians.

Ms. Kemmerer added her concern for GMP staff is knowing the demand of what every guardian wants. She added if a GMP volunteer assists guardians to this level, she feels like the GMP may be setting themselves up for an avalanche.

Ms. Kemmerer stated Spokane County GMP has 2,100 cases and are sending out 2,000 letters to guardians, CPGCs, and attorneys. She added if that's what the GMP wants to do, then do it, but she's concerned at how much interaction and assistance the guardian liaison is providing. Ms. Kemmerer stated she made very clear in Spokane County the court visitor is not there to help guardians with forms, as the work dovetails into that of an ombudsman.

Ms. Russell replied Ms. Kemmerer's concerns are definitely something GMP staff is trying to keep in mind, and we're trying to work around keeping connection between courts and guardians. She added she uses the word "assist," but can recraft the language so it's clearer. She stated the guardian liaison position will reach out to tell guardians their reports are coming due or if they're delinquent, and may be able to help them know what to turn in, but not how.

Ms. Russell stated the volunteer is offering up resources and connections to resources, as opposed to providing direct assistance. She stated the liaison role is exactly that: an in-between to try to make sure guardians are in compliance. She added guardian liaisons are not social service workers, and she thinks that has to do with training and the avalanche Ms. Kemmerer thinks may happen when connecting with guardians.

Ms. Pitigliano stated she agrees with Ms. Kemmerer, and added when she was in that role with DSHS, she had to be clear she had no legal background and could provide no legal advice. She stated she thinks GMP staff might replace the word "assist" with "connection." She added if the GMP is offering assistance via resources, guardians will probably stay in connection.

Ms. Pitigliano stated as Ms. Russell was going through the workflow, maybe some of the boxes need arrows in both directions. She stated it might be good to have one person as a point of contact. Ms. Russell stated she is thinking about processes with Ms. Pullen.

Ms. Russell stated another thing GMP staff have to consider is monitoring tasks across the state. She added GMP staff will also be recruiting and doing HR-type stuff, so we have to think about the roles, what is feasible for GMP staff, and what does not overburden and overtax court staff. She stated at the same time, she's hoping this gets guardian tracking and monitoring in a really good place, where the GMP knows the guardians who are out there and what's up to date.

Ms. Pitigliano asked if the GMP has a plan on how to get the courts to work with the GMP. Ms. Russell responded the GMP is in early stages of the MOU process, working out what it is we'll be doing.

Ms. Jacalyn Brudvik stated she's having conversations about what the court will and won't do. She stated she did the Snohomish County calendar yesterday, and has been for 23 years. She

added the GMP has to be careful as the court is the super guardian, and has to be careful in how the court is delegating responsibilities to someone else.

Ms. Brudvik stated if a report didn't go through her local GMP first, then to her, and if a person is representing themselves as an authority from the court, that's the reason why we have court visitors in statute. She added Snohomish County can reassign court visitors at no cost to litigants to go conduct a review and do a forensic accounting if we choose. She added to be mindful that court staff isn't going to assign anyone: when the local GMP sent people out for court visits, they had to get approval. Ms. Brudvik added to keep in mind RCW [11.130](#).

Ms. Brudvik stated she's a little bit concerned about some of the things on the graph, but that doesn't mean people can't evolve and change, but the GMP has to evolve and change with this branch. Ms. Collins stated she wants to clarify the GMP is coming in as partners: everything the GMP will be doing will be established with the MOU. She added when the GMP is having conversations with the courts, it's not the GMP coming in and dictating. Ms. Brudvik agreed, and stated it may be a matter of presenting things.

Ms. Brudvik stated yesterday she had 10 cases and will have 15 by Friday, adding there's a need to offer info. She stated some Workgroup members have had GMPs offering these skills. Ms. Brudvik stated given the volume Snohomish County has, they have three calendars for guardianships and the need for review is overwhelming. Ms. Collins stated she understands. She added the GMP has a need to incorporate volunteers and never wants to burden staff. She stated the GMP is aware there will be red flags, but that's why the GMP is presenting to the Workgroup and getting feedback. Ms. Collins added the GMP wants to make sure we're having conversations with the Workgroup. She stated the reason she jumped into the conversation is because the GMP needs commentary and feedback, wants to have community engagement, and definitely recognizes red flags. Ms. Collins added the GMP wants to make sure we're not overstepping.

Ms. Russell stated she's thinking about the volunteers and wondering how to integrate them in the best ways that meet court needs. She added GMP staff doesn't have all the answers, but after talking with the GMP Workgroup, will come up with a better graph. Ms. Brudvik stated to keep in mind Snohomish County has had their GMP for over 20 years: when there are reviews on cases, they'll send info in a report to the court, then Ms. Brudvik reviews and decides as a commissioner to send out a visitor or someone to conduct forensic reporting. She added that the info presented here, where a volunteer is working through GMP staff, then to her, makes her wonder if she has to show cause here, like there's way too much money going out not listed in accounting. Ms. Brudvik added someone put in the Zoom chat it's all funneled.

Ms. Brudvik stated GMP folks make recommendations, and the section on the report that says GMP would recommend is helpful, as they're making a recommendation to me and I see there's a value point.

Ms. Collins asked how the GMP in Snohomish County is working. Ms. Brudvik state they work two days a week, can send people to meet with guardians, or put in an order that people can monitor, or put in a review. She added a copy of her order can be sent to the GMP. She stated she liaisons from the courtroom, but as far as individuals go, they need more assistance.

Mr. Daniel Smerken stated it's inevitable as there's no perfect system. He added most guardians in the state of Washington are family members volunteering their time and they have a duty to the court, but they can resign. He added he wanted to emphasize Ms. Kemmerer's and

Ms. Brudvik's statements. Mr. Smerken stated the way the words are showing on paper, one thing that would be helpful is to reformulate wording in structure of how the court works. He added the court is always the super guardian. Mr. Smerken stated the GMP is there to assist and help, and he thinks the GMP will be appreciated if seen as a helpful tool to the judicial officer to do their job.

Ms. Collins stated there is power in language and presentation, and the GMP wants to come across as the court is the super guardian. She stated GMP staff appreciate that and want to make sure it's clear we're not coming in to replace or enforce. Ms. Russell stated as she and Ms. Pullen recraft and pay attention to language, they can bring the graph to the Workgroup as they'll be helping GMP staff with this kind of product. She added she definitely appreciates all the input as it is very valuable. Ms. Russell stated sometimes it can feel like GMP staff are working in the dark and she appreciates the GMP Workgroup shedding a light.

Ms. Brudvik stated she wanted to share the experience of her triannual report being due. She stated it was so much work for a report for guardianship, and there were so many documents to gather. She reemphasized it was a lot of work. Ms. Brudvik stated she's been a guardian for 20 years and has an attorney. She stated it's not gotten easier doing these reports, it's getting harder, and she had to take breaks to reassess and reassure herself that she got this.

Ms. Brudvik stated if she felt overwhelmed, she's sure everybody is wondering how to do this. She stated she's had several family members say they can't do this and there's not enough CPGCs, so she appreciates that statewide the GMP is building a program where guardians are given resources and assistance. She added it was overwhelming this year.

Mr. Smerken agreed and emphasized what Ms. Brudvik said: it's overwhelming for a lot of guardians. He added many folks are working with people who have a disability or SSI, and there's not a lot of money, so if they resign, the court will have a lot of people who won't serve. He added this emphasizes how GMP needs to be a support system for guardians as well as the court.

Ms. Collins asked the GMP Workgroup if they had other questions, suggestions or feedback. She added GMP staff appreciate feedback, and it's best for GMP staff to share our ideas outside of the GMP. She stated she appreciates the Workgroup member's backgrounds, feedback, ideas and suggestions. Ms. Collins stated she appreciates the dislikes and concerns, the things that could be helpful, suggestions to try things and implement things, and appreciates those who give feedback.

Ms. Collins stated the GMP will go back to the drawing board to change some things around, and she wants to make sure ideas are shared. Mr. Smerken stated technology is going to be so important in doing this work, and he doesn't have a lot of confidence in AOC's (Administrative Office of the Courts) access to technology. He added he hoped the GMP gets support in accessing databases and doesn't have to bother local courts and administration. He added if the GMP gets access, the program can be self-reliant.

Mr. Smerken asked if there are jurisdictions providing the GMP access, like King County and Pierce County, who uses Linx. Ms. Collins stated the GMP is getting access to the counties we're establishing partnerships with, but not King and Pierce Counties. She stated GMP staff have hope we'll get the tools we need to make the program successful, but it's not necessarily on the AOC. She added GMP staff is trying to find a third party, appropriate experts, and already existing tools.

Mr. Smerken asked if the pilot counties have their own system, or if they're using Odyssey. Ms. Russell responded Clark County uses Odyssey. Ms. Collins stated let's not get into Tyler Technologies. She stated she admits she's not technically savvy, so having conversations with different groups is needed.

Mr. Smerken stated it may not be true in Snohomish County, but in King County when you get appointed, their system spits out dates, but it's not rocket science, and that would help the GMP. Ms. Brudvik stated that's required by statute. Mr. Smerken stated the information would be on the order appointed, but the automation would be helpful. Ms. Brudvik stated it's mandatory and should be there: if it's not, she won't sign an order.

Ms. Russell stated she thinks in Benton & Franklin Counties, they put it on an Excel spreadsheet, so that would be something she'd move into the GMP. Ms. Brudvik stated she was confused and asked if Ms. Russell was saying it's not on the order. Ms. Russell replied no.

Ms. Julie Higuera responded she thinks guardians don't look at their order. She added Benton & Franklin Counties GMP encounters guardians who say they didn't know the date, and their GMP staff respond it's on the front page on their order. Mr. Smerken stated it goes back to how foreign this is for lay guardians, that people assume someone's going to tell them when their reports are due.

Ms. Brudvik stated she doesn't share from the bend that she's a guardian, but she tries to go through and say "these are the days you have coming due," states there are forms on the website, tells guardians they can go discuss with Snohomish County GMP, and that she has to get people to understand this is not our last meeting.

Ms. Sujatha Jagadeesh Branch stated in the interest of time, Northwest Justice Project (NWJP) represents low income people and people who communicate in languages other than English, so maybe next time, the GMP Workgroup can discuss what our client's experiences are as this system is incredibly hard to navigate. She added she really appreciates everyone's trying to find solutions. Ms. Branch stated NWJP are trying to make sure alternatives to guardianship are realistic.

Ms. Collins stated she appreciates Ms. Branch's suggestion and we'll table it for the next discussion. She reemphasized she appreciates everyone and their feedback.

5. Wrap Up/Adjourn

The next Guardian Monitoring Program Workgroup meeting will take place via Zoom Conference on Tuesday, September 13, 2022, at 8:00 a.m. With no other business to discuss, the July 12, 2022 meeting was adjourned at 8:59 a.m.