



February 5, 2014

TO: Chair Barker and members of the House Judiciary Committee

RE: Support for HB 4114, Authorizing judges to appoint special advocates for protected persons

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The Oregon Intellectual and Developmental Disabilities Coalition (IDD Coalition) is a group of approximately 30 organizations throughout Oregon that promote quality services and supports to further equality and community integration for Oregonians with intellectual and developmental disabilities and their families.

The IDD Coalition believes that people with disabilities, like all people, have the right to make decisions about their own lives. Once a guardian is appointed, however, few oversight mechanisms exist to ensure the guardian is truly acting in the best interest of the individual. The IDD Coalition welcomes HB 4114 because it creates an avenue for judges to appoint a special advocate volunteer to examine the guardianship and report their findings back to the court.

Currently, it is very difficult to get an objective examination of the guardianship when we suspect the guardian is ignoring the protected person's wishes or exerting too much control in the protected person's life. In many cases, members of the IDD Coalition have reported abuse to courts or Adult Protective Services. Aside from blatant abuse, we frequently hear from protected people that their guardian is controlling their lives too much and will not allow them to enjoy basic activities like choosing to work, pick out their own food, clothes, music or TV programs, visiting with friends, or seeing their significant other. Although guardians can choose where the protected person lives, sometimes we hear that the guardian will not listen to the protected person's choice of residence and may move the person far away from friends or family members.

The IDD Coalition supports HB 4114 because will offer a cost-free mechanism to examine guardianships and ensure that the protected person's well-being is truly protected.

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