



April 28, 2015

To: House Committee on Judiciary

From: Leslie Sutton, Oregon Intellectual and Developmental Disabilities Coalition

Re: Support for SB 590

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Chair Barker and Members of the Committee:

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

The IDD Coalition envisions an Oregon where people with disabilities have choice and control over their lives, however, we also recognize that sometimes people with disabilities need decision making assistance to meet their goals and remain healthy, safe and free from exploitation. In these cases, a judge may appoint a guardian to help the person make decisions.

Oregon recognizes that guardianship is a serious matter. When someone files a guardianship petition for a person with a disability, visitors are a critical quality assurance mechanism. They exist to make sure courts are granting guardianships only when appropriate. Visitors meet with the person and their family to get a picture of the person's strengths and needs. This informs their recommendation about the appropriateness of the guardianship.

The IDD Coalition supports SB 590 because it requires visitors for minors older than age 16 who will likely have a guardianship petition filed before age 18. Oregon requires visitors for all adult guardianship petitions. Given the important function of visitors, equity demands that we require them for minors as well.

I have conducted trainings on guardianship and alternatives to guardianship. During these trainings, I have talked with hundreds of people who are caring for people with disabilities who



may need decision making assistance. During these presentations, I often hear from parents about how many things happen around the time their child turns 18. At that age, families have to navigate many changes in the developmental disability, education, vocational rehabilitation and Social Security systems. Having the guardianship process started and a visitor report before age 18 gives families piece of mind that guardianship is appropriate and allows them to focus on the other transitions in their child's life at that age.

Families who speak to me during my trainings understand the seriousness of guardianship and they struggle with the decision to file a guardianship petition. Like all parents, they want to do the right thing for their children. A visitor report helps them to understand if guardianship is right for their child.

Guardianships dramatically impact a person's rights. They are typically in place for the rest of the person's life. We owe it to Oregonians with disabilities to get the guardianship determination right the first time. Visitors help do that and they should be required in all guardianship petitions.