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## Office of the Public Guardian & Conservator

March 9, 2023

Joint Committee on Ways and Means

Public Safety Subcommittee

900 Court Street NE

Salem, Oregon 97301

Re: Testimony In Support of Oregon Judicial Department Policy Option Package SB 5512

Co-Chair Sollman, Co-Chair Evans and Members of the Subcommittee;

My name is Mark Sanford and I am the Multnomah County Public Guardian and Conservator (MCPGC) and a member of the statewide Working Interdisciplinary Network of Guardianship Stakeholders (WINGS), a group that brings together various disciplines to improve the state's spectrum of guardianship/conservatorship services and processes. Thank you for the opportunity to provide written testimony today in support of the policy option package that would provide funding for the Oregon Judicial Department (OJD), Court Oversight Improvement Program, in support of vulnerable Oregonians subject to guardianship and conservatorship proceedings.

The Office of MCPGC provides information and consultation on matters related to protective proceedings and serves as legal guardian and/or conservator for older adults, people with disabilities and Veterans who are legally incapacitated (or financially incapable). My team provides care and safety planning, advocacy and supported decision-making on behalf of the individuals we serve to ensure protection from abuse, neglect and financial exploitation while maximizing their autonomy and self-reliance.

As nationally-certified professional fiduciaries, we utilize our training, practice standards, ethical guidelines and expertise to navigate complex care systems and provide prudent financial management. However, most of this work in our communities is carried out by lay fiduciaries (family or friends), who may not have the necessary background, support or oversight in carrying out their duties. In the majority of these situations, the protected person receives appropriate care and guidance but we also encounter individuals who have remained in neglectful circumstances and have been victims of mismanagement or financial fraud by guardians/conservators appointed by the court. Unfortunately, I have witnessed tragic

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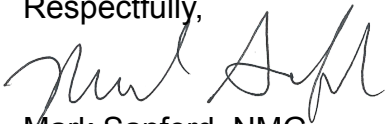
outcomes for people who were offered protection under the courts, only to be taken advantage of by the very people appointed to protect them. These individuals have lost their life savings, housing, medical care and critical support due in part to an underfunded system without essential resources to provide adequate oversight, including monitoring and technical support to intervene before irreversible harm occurs.

Ultimately, courts in Oregon are required to provide oversight and hold fiduciaries accountable, but currently lack resources to effectively administer protective proceedings through enhanced case monitoring. The 2021 OJD grant-funded pilot project to improve court processes by providing training, tools and auditing oversight of conservatorships has established the framework for further development in this area and elevated Oregon's status as a leader in guardianship/conservatorship reform. As a member of the WINGS group I have followed the development of systemic improvements with regard to data collection/reporting, standardized procedures and resources for financial auditing that are enhancing court monitoring in Oregon and was pleased to see OJD's efforts highlighted at a recent National Guardianship Association conference.

I strongly support additional funding being proposed by OJD to expand these efforts and bolster the case review process for protected persons under court jurisdiction. These targeted improvements can bring about fundamental changes in our current system to support our courts and prevent physical and financial harm to Oregonians who rely on court-appointed fiduciaries to keep them healthy and safe.

If you have questions regarding this request for OJD funding, please contact me at 503-988-4567.

Respectfully,



Mark Sanford, NMG  
Multnomah County Public Guardian and Conservator