

Greetings:

My name is Julie Meyer Rowett and I am an attorney practicing elder law in Portland, Oregon. I started my career at Legal Aid Services of Oregon, where I grew passionate about the provision of public assistance to Oregonians. After two years at Legal Aid, I entered private practice where I specialize in public benefits planning as well as guardianships and conservatorships. I remain an active volunteer with Legal Aid and the Milwaukie Senior Center and volunteer with the Oregon State Bar Elder Law Executive Committee. I am a frequent presenter at continuing legal education events, on both Medicaid and protective proceedings. I consider myself a supporter of Disability Rights Oregon as well as other providers of legal services to low income individuals.

This is why I must express my disappointment at the recent amendment to SB 528. I followed the first version of this bill, with concerns about the impact to low income Oregonians who desperately need access to guardianship services for loved ones who are struggling with mental illness. The most recent version is a complete change that has been submitted with no collaboration with community stakeholders.

I am not opposed to representation for respondents in protective proceedings. However, the bill as drafted is not appropriate or workable. First, there is already a mandate to provide representation to respondents that is struggling in its implementation. I am an attorney that is often appointed to represent respondents and I happily take these pro bono appointments. Representation of respondents in protective proceedings is often complicated by our client's diminished capacity. Ethically, we work with our clients to the extent we are able. Experience in the field of protective proceedings is essential to competent representation of respondents. For example, in my role representing respondents, I can often craft an alternative to a protective proceeding that protects my client's interests while also preserving their essential public assistance and autonomy. This can be in the form of a limited protective proceeding or sometimes trusts that preserve necessary housing and public assistance. This takes knowledge of not only protective proceeding but the complex rules surrounding housing, food stamps, mental health and access to long-term care. I am concerned that Disability Rights Oregon would assume oversight of attorneys in these cases without the background and knowledge base to represent respondents.

In my opinion, roll-out of this proposal requires a work group that includes other stakeholders than Disability Rights Oregon that can provide guidance on qualifications for the attorney representing respondents. What is disappointing is that such groups exist and Disability Rights Oregon rolled this out without consultation. Examples of stakeholders include WINGS, the Elder Law Executive Committee and Guardian Partners.

This brings me to my final point. The state of access to services in Oregon is in shambles. It has been in shambles since the pandemic and the disastrous rollout of ONE. In my opinion, this is absolutely contributing to our homelessness crisis. Why is this relevant to guardianships? It is relevant because the system has become impossible to navigate without an advocate. I have cases where my guardians have been able to sign up their loved one for basic services such as OHP and food stamps. For this reason, we

need to approach changes to the statute with careful consideration of the impacts. Making the process more expensive for your constituents has real world impacts. I just read an article about a family who tried to help their mentally ill son, to no avail. Guardianship was mentioned in passing in the article as too expensive. This is the lived reality for too many low-income Oregonians. Despite the crushing need for competent representation of family members who need advice on guardianship, there is no provider of legal services for low income Oregonians who need guardianships. I worry that the pendulum has shifted away from those families that are desperate for help.

Please, do the right thing and ask Disability Rights Oregon to collaborate with stakeholders on this matter. Don't make the process of guardianship so difficult and expensive to navigate that families can't afford to help their loved ones.

Sincerely,



Julie Meyer Rowett