

NEWS from the North Dakota Department of Human Services
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Booklet explaining guardianship responsibilities available now

BISMARCK, N.D. – Court-appointed guardians in North Dakota provide a valuable service for vulnerable individuals, often making significant decisions involving financial or health care situations. North Dakota is stepping up efforts to educate guardians about their important role.

A North Dakota Olmstead Commission Work Group, together with the North Dakota Department of Human Services' Aging Services Division, has developed a booklet and fact sheet. They contain information about how court-appointed guardianships are established and the roles and responsibilities of guardians, and are intended to be resources for current and prospective guardians, families considering establishing a guardianship, and others.

“Guardianship is rarely simple,” said Teresa Larsen, work group co-chair and Executive Director of the ND Protection and Advocacy Project. “It is put into place only when a court is convinced that all possible alternatives have been exhausted. We developed these materials to improve the quality of guardianships.”

The “Guardianship Handbook: Guide for Court Appointed Guardians in North Dakota” and the related one-page fact sheet are available on-line at <http://www.nd.gov/dhs/info/pubs/aging.html>.

Aging Services Division Director Linda Wright said the need for guardianships may grow because of the state’s aging population and returning Iraq and Afghanistan veterans impacted by traumatic brain injuries and other disabilities.

“We have found that when guardianship services are not available, vulnerable individuals are less likely to be able to remain living independently,” Wright said. “The possibility of exploitation and financial abuse increases, and vulnerable adults are unable to protect themselves.”

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The 2007 North Dakota Legislature appropriated \$40,000 for the Department of Human Services to establish guardianships for vulnerable adults. The funds pay for court costs for cases involving impoverished individuals.

Since August 2007, 54 guardianship have been established. Wright said the department screens each request to assure that individual's rights are protected and that less restrictive alternatives have been reviewed. Making a request does not automatically result in the establishment of a guardianship.

Wright said representatives from the Department of Human Services, the Protection and Advocacy Project, the courts, Guardianship and Protective Services, Catholic Charities, and AARP assisted the Olmstead Work Group with the development of the materials.

For information about the North Dakota Olmstead Commission, which focuses on providing services to individuals with disabilities in the least restrictive, appropriate setting, see <http://www.nd.gov/dhs/info/olmstead-commission.html>.

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