



# GUARDIANSHIP TRAINING

**WEDNESDAY, SETEMBER 26, 2018**

**3:00-6:00 PM**

**2100 Campus Dr. SE**

**Rochester, MN 55904**

**Whitewater/Cascade Rooms - Main Floor**

## Filing for Guardianship

- How to write a petition
- How to file a petition
- Details of the court process

**Registration REQUIRED by September 12th, to attend training. Please contact your ongoing social worker to register.**

If you do not have a social worker, please contact Mia Corrigan at [Corrigan.mia@co.olmsted.mn.us](mailto:Corrigan.mia@co.olmsted.mn.us) or 328-6613

## Upcoming Training

**Thursday, March  
21, 2019 and  
September 2019-  
Date TBD.**

## PARKING

Parking is available in the county lots only—directly in front of the building, and in the lots behind the building. Please allow time for parking.

# Guardianship Training Registration Form

Name:

Phone Number:

Email Address:

Social Worker/Case Manager's Name:

I am signing up for

How to file a petition for Guardianship training.

Interpreter or special accommodations needed (please provide details):

\*Please scan/email your registration to your ongoing social worker/case manager.

If you do not have a social worker, please send to Mia Corrigan at [Corrigan.mia@co.olmsted.mn.us](mailto:Corrigan.mia@co.olmsted.mn.us) or mail to Mia Corrigan at 2100 Campus Drive SE, Suite 200, Rochester, MN 55904.

Please direct all questions about these trainings to your ongoing worker. If you do not have an assigned social worker, you can contact Mia Corrigan at 328-6613.

**Please review info regarding Guardianship duties, listed below, before attending the training**

## Preparation for Filing a Guardianship/Conservatorship Petition

### Decision Points

#### Guardianship:

We have reviewed:

- The information in “What is Guardianship?”
- The information in “Less Restrictive Alternatives to Guardianship” and “Who Needs a Guardian or Conservator”
- Viewed the video on MN courts website [www.mncourts.gov](http://www.mncourts.gov)

If you have made the decision that guardianship is necessary and is the least restrictive option, the next decision is whether to pursue unlimited guardianship or a limited guardianship. An unlimited guardianship is uncommon as it takes control of all the powers and prohibits rights such as voting and marriage. Limited guardianship is less restrictive, giving people powers over the things that they can make decisions about.

If a limited guardian is appropriate you must decide which powers the person will maintain and which you will be responsible for.

This list is taken directly from the petition. Review each area and decide if the powers are needed.

- Have custody of the Ward and establish the place of abode for the Ward within or without the State, Minn. Stat. § 524.5-313(c)(1);

*This means that you will make decisions on where the respondent lives.*

- Provide for the Ward’s care, comfort and maintenance needs, Minn. Stat. § 524.5-313(c)(2);

*This means that you will make sure that the ward is properly cared for. For some people, it may mean that you are doing this care. More often, it means that the guardian is making sure the school, residential or work program is meeting the respondent’s needs.*

- Take reasonable care of the Ward’s clothing, furniture, vehicles and other personal effects, Minn. Stat. § 524.5-313(c)(3);

*The guardian assures that the person’s belongings are safe and they are not being exploited. The guardian can identify needs with the Respondents’ team and plan to meet those needs.*

- Give any necessary consent to enable, or to withhold consent for, the Ward to receive necessary medical or other professional care, counsel, treatment or service, Minn. Stat. § 524.5-313(c)(4);

*The guardian works with professionals to assure appropriate medical care is given*

- Approve or withhold approval of any contract, except for necessities, which the Ward may make or wish to make (**only given if no conservator is appointed**), Minn. Stat. § 524.5-313(c)(5);

*The guardian can assist or deny approval of contracts that the Respondent may enter into.*

- Exercise supervision authority over the Ward, Minn. Stat. § 524.5-313(c)(6);

*The guardian works with the team in balancing the Respondents wishes for independence, skills and vulnerabilities and risks to determine the appropriate level of supervision.*

- Apply on behalf of the Ward for any assistance, services, or benefits available to the Ward through any unit of government, Minn. Stat. § 524.5-313(c)(7);

*The guardian can complete or assure completion of paperwork to assure services are there for Respondent as needed.*

- (Other) \_\_\_\_\_

\_\_\_\_\_ ; and all other powers, duties and responsibilities conferred on the Guardian under applicable law.

**Conservatorship (training does NOT discuss specific conservator issues)**

We have reviewed:

- “What is Conservatorship? What would I have to do if I take on this role?”
- Viewed the video on MN courts website

Based on the above:

\_\_\_\_ We have determined that Conservatorship is not necessary and that a less restrictive alternative is appropriate in meeting the person’s needs

\_\_\_\_ We have determined that a Conservatorship is necessary for the following reasons:

**Note: unless the person has significant earnings and/or assets, a conservator is likely not needed. Conservatorship requires detailed accounting via the state system, potentially expensive (time and resources for bonding) process.**

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Olmsted County suggests that you review these decisions with your case manager prior to attending the training session and to filing petition. **There is an annual court review process which requires that the guardian reviews needs and changes. This requires a report to the court every year regarding those needs.**

**Have you discussed WHO will be the guardians? How will you make decisions?** It is important the if there is more than one guardian that you have discussed how decisions will be made.