

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
ADMINISTRATIVE ORDER 13-08**

Appointment of Non-Lawyer Guardians in Probate

WHEREAS, the Probate Division of the District of Columbia Superior Court appoints limited and permanent guardians for persons who have been found incapacitated and have become wards of the Court, and the Court may appoint any individual who has been appointed to the Probate Fiduciary Panel to serve as a guardian; and

WHEREAS, the Probate Division of the Superior Court is responsible for monitoring the well-being of its wards; and

WHEREAS, currently the only individuals eligible for appointment are attorneys who are members of the District of Columbia Bar; and

WHEREAS, wards in intervention cases suffer from physical, mental, and developmental conditions and frequently require assistance obtaining housing and other placements, medical and mental health care, and social services and would benefit from assistance by persons who are not attorneys who are qualified professionals with expertise to address their needs; and

WHEREAS, qualified professionals in specialized fields such as nursing, occupational therapy, and geriatric social work are well-suited to address the needs of the Court's wards; and

WHEREAS, in 2008, the District of Columbia Guardianship Group^{*} – a consortium of organizations and individuals with knowledge and expertise in issues associated with aging, the elderly, and the disabled – identified a group of fourteen persons who have expertise in working with the aging and disabled; and

WHEREAS, the persons identified by the Guardianship Group were professional licensed geriatric social workers, advanced practice nurses, or occupational therapists, and who are private practitioners, contractors or retired professionals and are able to make the time commitments required of guardians; and

WHEREAS, the Presiding Judge of the Probate Division has reviewed the qualifications of the professionals recommended by the Guardianship Group and found that their services would benefit the wards of the Court; and

WHEREAS, by Administrative Order 08-11 on August 25, 2008, the Chief Judge of the Superior Court of the District of Columbia appointed the identified individuals to the Probate Fiduciary Panel to serve as guardians as a part of a one-year pilot program; and

^{*} Representatives of the following organizations are members of the Steering Committee of the District of Columbia Guardianship Group: Iona Senior Services, the ABA Commission on Law and the Aging, District of Columbia Adult Protective Services; the D.C. Bar Estates, Trusts, and Probate Section, and the ABA Public Policy Institute.

WHEREAS, the pilot program was extended for one year by the Chief Judge of the Superior Court, by Administrative Order 09-11 on August 26, 2009, and for an additional year by Administrative Order 10-12 on August 31, 2010; and

WHEREAS, based on D.C. Courts Research and Development Division research findings, non-lawyer guardian participants in the pilot program competently filed guardian reports and maintained regular contact with wards, and the Probate Division shall be required to continue to monitor the performance of non-lawyer guardians and provide education and training;

NOW, THEREFORE, it is by the Court,

ORDERED, that up to thirty (30) non-lawyer professionals, who, upon application, shall be screened by the Probate Division and trained by the Guardianship Assistance Program and the Probate Education Committee may, with the approval of the Presiding Judge of the Probate Division, be admitted to the Probate Fiduciary Panel to receive appointments as Guardians in intervention cases; and it is further

ORDERED, that the aforementioned professionals appointed as Guardians pursuant to this Administrative Order shall be entitled to reasonable compensation for their services, upon approval by the Court, and shall be paid from the assets of the wards for whom they serve as Guardians or from the Guardianship Fund, as appropriate, pursuant to D. C. Code §21 – 2060 and Super. Ct. R. PD 308.

SO ORDERED.

BY THE COURT

May 1, 2013

/s/

Lee F. Satterfield
Chief Judge

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