Report of the Guardianship Task Force to the WSBA Elder Law Section Executive Committee:

Recommendations for Improving the AOC's Lay Guardian Training Program

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INTRODUCTION

In a major step forward for our guardianship system, Washington recently began to require uniform, statewide training for lay guardians. Lay guardians—also known as nonprofessional guardians—are typically family members or friends of the incapacitated persons under guardianship.¹

In a 2009 Report to the Elder Law Section of the Washington State Bar Association, the Guardianship Task Force recommended mandatory training for lay guardians, among other reforms.² Two years later, Washington enacted Substitute House Bill 1053, requiring lay guardians to successfully complete any standardized training made available by the Administrative Office of the Courts (AOC). With the passage of SHB 1053, the AOC completed a training program already in development, and released a free, online training tool for lay guardians in July 2011.

After releasing the training tool, the AOC asked the Chair of the Elder Law Section for feedback on the program. In response to this request, the Guardianship Task Force reconvened for over a year to analyze the training and provide feedback. This report offers recommendations for improvement and enhancement of the training program.³

¹ In Washington, a professional guardian is defined as a guardian "who is *not* a member of the incapacitated person's family and who *charges fees* for carrying out the duties of court-appointed guardian of *three or more* incapacitated persons." RCW 11.88.008 (emphasis added). By contrast, a lay guardian *may* be a member of the incapacitated person's family and *may* charge fees, but *may not* serve more than two incapacitated persons. Many lay guardians opt not to charge for their services.

Professional guardians are subject to regulations of the Certified Professional Guardianship Board, which has authority over training requirements, state certification, minimum standards of practice, and discipline of professional guardians. Unlike professional guardians, lay guardians are not subject to more extensive training requirements, do not need state certification, and are not required to adhere to the standard of practice regulations that apply to professional guardians. *See* GR 23, Reg. 400.

² The major recommendations of the Task Force focused on: (1) active monitoring by courts; (2) collection of uniform, statewide data; (3) mandatory training for lay guardians; (4) expansion of public guardianship services; and (5) adequate funding for the entire guardianship system. For a copy of the 2009 report, click here or go to the Elder Law Section website at http://www.wsba.org/Legal-Community/Sections/Elder-Law-Section, select "Committees and Task Forces," and then select "Guardianship Task Force Report, 2009."

³ The original and reconvened Task Force is comprised of practicing attorneys and other professionals from the private and public sectors. Members have expertise in many areas, including guardianship, elder law, disability rights, and public-health policy. For a list of members, see page 16.

EXECUTIVE SUMMARY

After spending over twelve months analyzing the lay guardian training program, the Guardianship Task Force reaffirms the training-related recommendations set forth in its 2009 Report to the Executive Committee of the Elder Law Section. In conformity with these original recommendations and the requirements of Substitute House Bill 1053, the Task Force offers an additional set of recommendations geared toward improving the accuracy, accessibility, and user-friendliness of the lay guardian training program offered by the AOC.

BACKGROUND

A. 2009 Report of the Guardianship Task Force

When the Task Force released its original report in 2009, state law did not require training for lay guardians. Not surprisingly, a statewide survey by the Task Force found that training for lay guardians was not consistently required or readily available on a local level. Only a minority of counties were requiring or providing training for lay guardians. Among those counties, the training methods and tools appeared to vary.

Because of the importance of guardianship responsibilities and the unique vulnerability of persons subject to guardianship, the Task Force concluded that Washington should have a minimum statewide training requirement for lay guardians. The Task Force also recommended that the AOC provide low-cost, easily-accessible training resources, in order to ensure that the requirement would not create an obstacle to serving as a guardian.

B. Passage of Legislation Requiring Lay Guardian Training

In 2011, the Washington State Legislature passed Senate House Bill 1053 (SHB 1053), which amended Washington's guardianship act. Washington law now requires lay guardians to complete free, standardized training and to provide evidence of completion of that training to the court overseeing the guardianship.⁴

Pursuant to the new law, a guardianship petition that names a proposed guardian must include evidence that the proposed guardian has successfully completed the training offered by the AOC. For guardians appointed prior to enactment of the new law, courts have discretion to waive the training requirement for good cause.⁵ Courts may grant such waivers upon petitions by

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⁴ SHB 1053 is available at http://apps.leg.wa.gov/documents/billdocs/2011-12/Pdf/Bills/House%20Passed%20Legislature/1053-S.PL.pdf. The training requirement is codified in RCW 11.88.020(3); 11.92.040(8)-(9); and 11.92.043(2)(i)-(j).

⁵ The waiver provision states:

guardians or by any method provided in local rules. Courts may also defer completion of the training requirement for up to 90 days.

C. Development of Lay Guardian Training Program

With the passage of SHB 1053, the AOC completed and released an online training program for lay guardians that was already in development. Judicial officers from Spokane and Yakima County developed the training's substantive content on behalf of the Guardianship and Probate Committee of the Superior Court Judge's Association. AOC staff then utilized Adobe Connect software to present the content and also developed the online registration process.

OVERVIEW OF TRAINING PROGRAM

The current training program offered by the AOC provides information on guardianships of the estate and of the person, as well as information on guardianship forms, vocabulary, and resources. An overview of the registration process and the substantive training portion of the program is set forth below.

A. Registration Process

First-time users of the program must register through the AOC website. As part of the registration process, the AOC asks for the information listed below.

Note: As used below, an asterisk (*) indicates that the information is a required part of the training registration process. A plus sign (+) indicates the following: "You are not required to answer this question, but an answer will help us develop an important profile of individuals who are willing to serve as guardians."

- Lay guardian / proposed lay guardian age, gender,* ethnicity,* languages spoken,* level of education,* relationship to the allegedly incapacitated person or incapacitated person.*
- Allegedly incapacitated person / incapacitated person name,* age, gender,* ethnicity,* level of education,* marital status,* living situation,* annual income.*

Good cause shall require evidence that the guardian already possesses the requisite knowledge to serve as a guardian without completing the training. When determining whether there is good cause to waive the training requirement, the court shall consider, among other facts, the length of time the guardian has been serving the incapacitated person; whether the guardian has timely filed all required reports with the court; whether the guardian is monitored by other state or local agencies; and whether there have been any allegations of abuse, neglect, or a breach of fiduciary duty against the guardian.

RCW 11.92.040(8); 11.92.043(2).

- Existing / proposed guardianship county, * case number, * type, * reason. *
- Alternatives to guardianship / other solutions tried utility company third party notification, representative payee, power of attorney, trusts, joint property arrangements, supervised individual Indian money accounts, community-based money management, shared housing, residential care, assisted living, nursing home, retirement community, community based case management, respite care.

The AOC intends to use the collected information to create a profile of guardians and incapacitated persons for use in targeting future needs and to validate the quality of guardianship data contained in the Superior Court Management Information System, also known as "SCOMIS."

Shortly after completing the registration, each user receives a username and password. After receiving this information, users must wait until 2 p.m. the next business day to begin the training. During this wait time, the AOC receives a "batch upload" of personal identifiers for new registrants, which the AOC uses to track user progress and verify completion of the training.

B. Training Modules

The training is provided through Adobe® Connect™ software. It contains nine self-paced modules, as follows:

[U]seful data is needed to predict the need for guardianship, alternatives to guardianship and to assess the guardianship system. With your assistance, we hope to compile sufficient data about guardianships and guardians to support meaningful analysis of policy issues; analyze trends and patterns and understand the relationship between numbers and characteristics of guardianship cases, demographic and economic variables.

⁶ The registration page provides further explanation of how the AOC will use the collected information:

- Four required modules introduction, guardianship of the person, guardianship of the estate, and guardianship forms;⁷
- Two required quizzes guardianship of the person, guardianship of the estate; and
- *Three optional modules* biographies, resources, and vocabulary.

Each module contains individual slides with written information provided in bullet-point fashion. Each slide is accompanied by an audio narrative that offers more in-depth information.

Each of the four required modules must be viewed in its entirety in order to unlock the next required module. In addition, each of the two quizzes must be completed with 70% accuracy, although they can be taken several times.

The training can be completed in one sitting or stopped and restarted as often as needed. Users who return to complete the training must enter their login information, which returns them to the last slide viewed. After completing the required modules and quizzes, users may review the entire program again at any time. Based on anecdotal accounts, average users could complete the training in approximately two hours.

C. Declaration of Completion

Users must complete, print, and sign the Declaration of Completion. This form becomes available only after the four required modules and the two quizzes have been completed. Users must submit the signed declaration to the court as proof of personally completing the training.

USER FEEDBACK

Shortly after releasing the training program, the AOC asked the Elder Law Section to review the program and provide feedback. The Guardianship Task Force reconvened for this purpose. The Chair of the Task Force posted requests to the Elder Law Section listsery asking for feedback on training experiences,

To successfully complete the training, you must view the following modules:

- "GDN 101 Introduction" approximately 10 minutes in length.
- "Guardian of the Person" and complete the exam. Approximately 30 minutes in length.
- "Guardian of the Estate" and complete the exam. Approximately 30 minutes in length.
- "Guardianship Forms" approximately 30 minutes in length.

NOTE: You must view the modules in their entirety in order to unlock the next module or the Declaration of Completion of Training.

⁷ The AOC training website states:

particularly in smaller Washington counties. Responses came from attorneys who represent guardians, and from attorneys and other individuals who serve as guardians and guardians ad litem.

The feedback presented below reflects comments from users as well as the input of individual Task Force members, who familiarized themselves with the training and analyzed its legal accuracy.

A. Positive Feedback

A frequent theme in the feedback is that the very existence of a training program for lay guardians is a huge improvement for Washington. Several users stated that the AOC should be commended for producing this training program. The training represents a major step toward ensuring that lay guardians in Washington are positioned to provide the best possible assistance to the incapacitated persons they serve. Other themes from positive feedback are set forth below.

• *Useful information*

Attorneys who represent lay guardians were thankful that they could now direct their clients toward a statewide resource that explains guardian duties. Lay guardians expressed appreciation for the opportunity to learn how much work a guardian might need to perform.

• *Helpful staff*

Another theme in the feedback centered on the helpfulness of AOC staff to those seeking training. Respondents remarked that AOC staff were very supportive in assisting people without email addresses to register for the training. One user appreciated that AOC staff printed her Declaration of Completion.

• Other

The Task Force received a variety of other positive comments. One user appreciated that the training is both auditory and visual, which works well for persons with different learning styles. Others appreciated the ability to re-enter the training program after initially reviewing the slides. Others liked the option of looking in the vocabulary module for definitions of unfamiliar terms.

B. Constructive Criticism

User feedback frequently included constructive criticism that focused on accessibility, user-friendliness, and convenience. Details are provided below.

• *Inconvenient registration process*

Because users cannot access the training until the day after registering, users without computers must make two trips to access computers to complete the training. A significant number of users who have computers also expressed the desire to receive immediate access to the training tool at the time of registering.

• Inappropriate data collection

Many users expressed concern about the nature of information required during the registration process. Although users understood the need to collect basic information from registrants, many did not feel comfortable providing information about vulnerable individuals such as names, annual incomes, and education levels. Users remarked that such sensitive information, when provided, should be handled through the courts, which have established procedures to protect confidentiality.

• *Difficulty with navigation*

Users who described themselves as relatively tech-savvy expressed frustration with the difficulty of navigating among the modules. Others cited the need for an easy way to search the training for specific information, rather than having to proceed manually through each module to revisit the material.

• Lack of hard-copy version

Users expressed concerns about lay guardians, particularly elderly guardians, who do not have ready access to computers and would prefer hard-copy versions of the training information. Although lay guardians without computers can utilize free computers at public libraries, access is often time-limited. Guardians who need more than the standard allotment of time would be required to make special arrangements to access the training through library computers. And making a trip to a library is an impractical option if a guardian wants to consult the training tool as issues arise throughout the course of the guardianship.

Some users who have access to computers expressed the desire for an easy way to print and read the content of the training rather than listening to the entire audio narrative.

• Lack of translated versions

Users who speak English as a second language reported difficulties with accessibility, including the need to enlist the help of their English-proficient children. Several users with very low-incomes reported difficulty with finding interpreters to be present for the training.

• *Difficulties related to Declaration of Completion*

Users reported problems when attempting to print the Declaration of Completion. In addition, the declaration does not comply with certain local rules related to white space and margins on filed documents.

Substantive inaccuracies

Users remarked that the training contains several inaccurate statements of law.

TASK FORCE RECOMMENDATIONS

The Guardianship Task Force developed the following recommendations after conducting a comprehensive review of the lay guardian training program. First, Task Force members began by reviewing the training modules online and in hardcopy. Next, the Task Force collectively analyzed the statewide user feedback amassed by the chair. Finally, the Task Force conducted a line-by-line review of the four required training modules (introduction, person, estate, and forms) and two of the optional modules (vocabulary and resources). For more than a year, Task Force members attended numerous meetings, on a monthly or more frequent basis, to discuss the training in-depth. Complex issues were often revisited a number of times. Multiple drafts of this report were developed and discussed in detail by all Task Force members in order to offer the most comprehensive and detailed feedback possible.

While recognizing the immense amount of work required to develop the current training program, the Task Force makes the recommendations set forth below. These recommendations are aimed at improving accuracy, accessibility, and user-friendliness, as well as providing a convenient method for updating the training materials as needed.

A. Adequate resources, including grant funding, should be sought in order to make substantial improvements to the training program. These improvements should be developed by a professional training-development company.

Ensuring that guardians understand their fundamental responsibilities is a core duty of the courts, and adequate funding should be made available for this purpose. However, the Task Force recognizes that the AOC is under funding constraints due to Washington's budget crisis and likely has no funding to pay a consultant to develop lay guardian training. To the extent possible, grant funding should be pursued for development of the lay guardian training program.

Lay guardians should receive efficient, effective, and accessible training that utilizes adult learning techniques. Most lay guardians volunteer their time and are not attorneys. Care should be taken to ensure that the material is free of "legalese" and not overly technical.

A variety of companies now specialize in developing online training programs and tools for measuring understanding of adult learners. By contracting with one of these companies, the AOC could ensure that its online training offers lay guardians an efficient and effective way to learn about their important duties.

B. The interactive training component of the current program should be modified to include only fundamental guardianship information, and a reference manual should be added as a required component of the training.

The interactive nature of the current program—listening to a voice-over narrative while progressing through a series of slides—is valuable and should be preserved as a required component of the training. However, it should be limited to a discrete number of fundamental guardianship concepts that merit emphasis in training and are unlikely to change in any significant way.⁸

Concomitantly, the training should include a more detailed reference manual that is available as an online, searchable PDF document. The current content of individual slides and the voice-over narrative constitute a significant start to the development of such a manual, but would need substantial editing.

In addition to improving accessibility and user-friendliness, these modifications will make future changes to materials easier and less costly. The interactive part of the training covering fundamental concepts would rarely require updates. In contrast, more frequent updates could be made to the

The final language of SHB 1053—requiring completion of any standardized video or "web cast"—did not convey the simplicity of the online "reference manual" originally recommended by the Task Force. Nevertheless, the term "web cast" is sufficiently broad to include an online reference manual offered in PDF or Word format. For examples of the manual-style format recommended by the Task Force, see the following publications:

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⁸ For example, the interactive portion could emphasize the basic differences between guardianships of the estate and of the person; the serious nature of a guardian's responsibilities; the importance of accurate reporting.

[•] Family & Volunteer Guardian's Handbook—How to be an Effective Guardian, DSHS and KCBA Guardianship and Elder Law Section (2010) http://www.kcba.org/CLE/family_volunteer_guardian_handbook.pdf;

[•] *Manual for Guardians*, Superior Court for Skagit County (2008) http://www.skagitcounty.net/Clerk/Documents/Guardian%20Manual.pdf; and

Manual for Guardians, Superior Court for Snohomish County (2007) http://www.co.snohomish.wa.us/documents/Departments/Superior Court/guardian manual.pdf.

reference manual by simply editing and reposting an online, searchable PDF document

C. The interactive component of the training and the reference manual should be modified after consultation with judicial officers, bar associations, advocacy organizations, and human services agencies.

Guardianship is a complex legal undertaking that involves a multitude of issues, including those that are legal, medical, psychological, financial, familial, and social. As such, guardianship is an area that requires broad input for the development of a training tool. In the event that the AOC develops a new training program or makes significant changes to the current one, the Task Force recommends advance consultation with a wide range of stakeholders from the judiciary, the bar, and other appropriate entities.

D. The training should offer generalized information about the duties of rather than complex details about statutory lay guardians requirements. Accordingly, the required module containing guardianship forms should be removed from the training.

Guardianship cases involve highly specialized areas of law that are fraught with the potential for significant mistakes. The myriad forms, deadlines, and other complex components of guardianship often cause confusion.

Offering a training program that is overly detailed and directive could constitute the unauthorized practice of law. For example, the practice of law specifically includes the selection and completion of form documents. 10 Although the required forms module in the lay guardian training cautions users to check the rules in individual counties, the module also contains more than a dozen statewide model forms and specific directives to users. The forms module advises users as to which forms are required, which can be skipped, which are conditionally required, and what the triggering conditions are. The training also tells guardians how to complete specific fields, which boxes to check, where to provide sensitive information, and when to file particular forms.

Given the detailed and specific directions regarding forms, lay guardians could easily be misled into relying on the training as a substitute for legal advice. Yet the unique circumstances of individual guardianships often require specialized approaches that no training could dictate. Unwarranted reliance on a training program could cause harm to both incapacitated persons and wellmeaning guardians.

¹⁰ Washington State Bar Ass'n v. Great Western Federal Sav. and Loan Ass'n, 91 Wash.2d 48, 54-55, 586 P.2d 870 (1999).

E. The training should be accessible to all lay guardians, regardless of disability, language, or computer access.

The 2009 Recommendations on training identified accessibility as an important part of any training program to be developed by the AOC. The accessibility recommendation specifically stated that:

Training materials should be available on a uniform, statewide basis in a variety of formats and languages consistent with the various needs of intended audiences. In particular, the reference manual and instructional video for lay guardians should be available online and, when needed, in hardcopy.

As explained below, the training should be reviewed and adjusted as necessary so that lay guardians do not face barriers based on disability, language, or computer access.

1. Disability

The Task Force recognizes that lay guardians with disabilities may request accommodations to complete the training in its current form. However, the standard format of the training should be as accessible as possible regardless of the availability of accommodations. For example, it is not clear whether the current format of the training is accessible to individuals with limited vision who regularly use "screen readers" when viewing information online. The training should be reviewed to determine its level of accessibility without specifically requested accommodations. ¹²

2. Language

The current training should be modified so that it is available in languages other than English. User feedback has already indicated that lay guardians with limited English proficiency (LEP) have faced difficulty when accessing the training.

Persons with a disability, who require accommodation, should notify Kim Rood at 360-704-4081 or LayGuardianTraining@courts.wa.gov to request or discuss accommodations. While advance notice is preferred, every effort will be made to provide accommodations, when requested.

¹¹ The "Training Overview" section of the AOC's website states:

¹² Two suggested resources for assistance with this type of determination are the Washington Assistive Technology Act Program (WATAP), www.watap.org, and the NW ADA Center, www.dbtacnorthwest.org.

As the Task Force understands, the AOC considered four factors before determining that it was not financially feasible to provide the training in languages other than English.¹³ It is not clear, however, what data was used when weighing the first two factors— the number or proportion of LEP persons eligible to be served or likely to be encountered by the program; and the frequency with which such individuals come in contact with the program.

Given the diversity of Washington's population, the Task Force questions whether translated versions of the training can justifiably be withheld from LEP lay guardians. In accordance with Recommendation A, the AOC should pursue grant funding to improve the ability of LEP lay guardians to access the training.¹⁴

3. Computer Access

As set forth in the Task Force's 2009 recommendations, the AOC should also provide training materials in hardcopy as requested by users. This would remove a significant barrier to lay guardians who lack ready access to computers. If the training included a reference manual in the form of an online PDF document (as set forth in Recommendation B), it should be relatively easy for the AOC to provide hardcopy versions upon request.

Feedback received by the Task Force also indicated that even users with computers would like the option to print the training for quick reference at a later

¹³ The "Frequently Asked Questions" section of the AOC's training website states:

Q. What languages is the training offered in?

A. The training is available in English. After researching translating into other languages it was determined that offering the training in other languages isn't financially feasible at this time. In determining feasibility, the following guidelines provided by the Department of Justice (DOJ) were considered:

- 1. The number or proportion of (Limited English Proficiency) LEP persons eligible to be served or likely to be encountered by the program;
- 2. The frequency with which LEP individuals come in contact with the program;
- 3. The nature and importance of the program, activity, or services provided by the program to people's lives; and
- 4. The resources available and costs.

DOJ guidance is found in Federal Register, Vol 67, No. 117, 41459 and 41463. http://www.justice.gov/crt/about/cor/lep/DOJFinLEPFRJun182002.pdf.

¹⁴ It is also worth noting that at least a portion of the AOC's translation costs might be significantly reduced if the training included a simplified online reference manual in PDF format, as set forth in Recommendation B. Further, users could elect to use a free online tool to translate the PDF reference manual—an option not available with the current format of the training modules.

time. The inclusion of an online reference manual in PDF form would allow such users to print copies at their own expense.

F. The quizzes currently in the training should be removed. The decision whether to include testing mechanisms, and the development of any such components, should be made in consultation with professionals who have expertise in online training and adult learning.

The current training program includes quiz modules that lay guardians must successfully complete with 70% accuracy in order to fulfill their legal training requirement. Although a testing mechanism could increase user understanding and retention, the current quizzes are deficient in a number of areas. The subject of at least one of the questions in the quizzes is not covered in the training. For certain other questions, the answers designated as correct are not legally accurate or are the subject of debate among guardianship experts. The current quizzes should be removed from the training and the decision whether to include a testing tool, and the development of the tool itself, should be made in consultation with professionals who have expertise in online training and the assessment of adult learning, comprehension, and retention.

G. After registering for the training online, guardians should have access to the training with reasonable immediacy. If this is not possible, the requirement of unique personal identifiers should be eliminated from the registration process.

A vast majority of responding users expressed frustration about the one-day delay in their ability to access the training after registering. The delayed access was compounded for users who had to travel to access computers. Yet, existing technology that allows user registration followed by almost immediate access appears to be commonplace on the internet. If the AOC is unable to access the technology that allows users to access the training with minutes of registering, the requirement to provide log-in information should be removed from the training program.

The Task Force understands that elimination of the log-in requirement will prevent the AOC from verifying completion of training before guardians submit their declarations of completion to courts. Lay guardians, however, are already statutorily required to submit information to courts about the incapacitated persons they serve—without the benefit of third-party verification. A guardian's signature represents to courts that the information submitted is truthful and accurate. Maintaining this practice for training declarations is preferable to delaying access to training.

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¹⁵ Notably, neither SHB 1053 nor the Task Force's original recommendations called for a test.

The Task Force also understands that elimination of the log-in requirement will end a guardian's ability to return to the last slide viewed when completing the training in multiple sessions. This drawback, however, would impact only those guardians who do not complete the training in one session, whereas as the one-day delay in accessing the training affects all lay guardians.

H. Guardianship data should not be collected through the lay guardian training program.

Courts and policy makers need guardianship data in order to plan and make decisions, but little reliable information is currently available. Accordingly, the Task Force encourages the collection of useful data to help guide the improvement of Washington's guardianship system. As envisioned by the 2009 recommendation related to data collection, *courts* should uniformly collect the data from guardianship cases involving both lay and professional guardians. A variety of guardianship stakeholders, including judicial officers, attorneys, and other advocates for vulnerable adults, should be consulted before decisions are made as to the type of data to collect, the manner of collection, the safeguards needed for privacy, and the proper use of the collected data.¹⁶

The data-collection questions currently included in the registration process are very extensive, and the utility of collecting some of this information is not readily apparent. The data collection questions should be removed from the training program.

Reliable guardianship data should be available on a uniform, statewide basis.

A. Data management system – The AOC should provide and courts should be required to use an appropriate database management system to collect, store, and retrieve guardianship data.

C. Pattern forms and model orders – The AOC should provide and encourage the use of a variety of pattern forms and model orders, which should be designed to facilitate the efficient collection of uniform, statewide guardianship data.

*Reasons for guardianships might be delineated by dementia, developmental disabilities, injuries, age of minority, medical conditions, and mental illness.

**This category of data might be delineated by complainant type (family member, friend, incapacitated person, service provider); guardian type (lay, professional, public); form of communication (motion, written request, pattern form); timing of clerk's delivery to court (by next business day, by other time); action requested (modification, termination, guardian replacement, court instruction); issue addressed (abuse, neglect, mismanagement); court response (hearing scheduled, application denied without hearing, guardian ad litem appointed); and remedy ordered (modification, termination, guardian replacement, restoration of rights, training, sanctions).

***This category might include data for key case events such as deadlines for filing accounts and reports; expiration dates for guardianship letters; and audit dates, activities, and outcomes.

¹⁶ The 2009 recommendation on data collection states:

B. *Data categories* – Courts should collect data in at least the following areas: guardianship status (active, closed); guardian type (lay, private, public); scope of authority (person, estate; full, limited); reasons for guardianship; guardianship complaints and concerns; and active monitoring measures. ***

CONCLUSION

The Guardianship Task Force commends the AOC for developing Washington's first statewide, online, and free training program for lay guardians. The Task Force is also thankful for the opportunity to provide feedback on such an important development for vulnerable individuals in Washington and the lay guardians who serve them. We look forward to continuing to work collaboratively with the judicial branch toward our mutual goal of improving Washington's guardianship system.

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^{*} The recommendations in this report reflect the individual positions of Task Force members and do not necessarily reflect the policies or opinions of the members' offices, courts, or agencies.