

April 2, 2019

To Whom It May Concern,

I am delighted to write this letter in support of Guardianship Corps' efforts to protect the most vulnerable members of our community. As the Director of Public Interest at Touro Law School, I am familiar with the fact that the single greatest obstacle to ensuring the safety of incapacitated persons is a lack of individuals willing and able to serve as Guardians.

Touro Law School supports the Guardianship Corp. by offering them low cost rental space within our clinic and access to our law library and law students to assist in their work. The fact that they are housed in the Touro clinics allows the Corp. to interact with the numerous other legal providers and clinics that are based at the law school.

According to the Guardianship Court, there are currently over one hundred and fifty new applications for Guardianship generated each year, pursuant to Article 81 of the Mental Hygiene Law. Additionally, the Court is charged with overseeing hundreds of existing guardianships, some of which have been in place for more than thirty years. Demographics indicate that these numbers will only grow in the future with more people living longer, with fewer, more geographically dispersed family, the likelihood of developing Alzheimers and other related dementia leaving them in need of care and oversight, often at a time when they have outlived their loved ones. Other areas of need include those with traumatic brain injury and people with developmental disabilities, who have significant care and care management needs, but who may have outlived their original guardians or whose needs overwhelm existing community supports.

While the law provides for the appointment of Guardians, New York State does not have a statewide Community Guardianship Program. Judges have been forced to weave together a patchwork quilt to create a safety net. The most significant need is for people who are indigent and/or those with no family support. In the past, the Court has come to rely upon asking attorneys to volunteer their time and step into the role of Guardian. Attorneys are not always the best suited for this type of work and for most, it is a side area not the focus of their practice.

With an appropriation from the New York State Department of Health, Guardianship Corps recently launched its operations as a Community Guardian. Guardianship Corps' sole mission is to provide cost effective, high quality guardian services to the indigent of Suffolk County. With a model of combining a few paid employees with "foot soldiers" provided by Senior Volunteers from RSVP (Retired Senior Volunteer Program) as well as Nursing and Social Work students from Stony Brook University, the concept is unique and effective. Visitation is

performed twice a month by volunteers who report back to the Staff as needed and on a regular basis. Some examples of their work include:

- 1) Assisting a nonverbal ward of the Office of People with Developmental Disabilities to return to the community from a nursing home setting;
- 2) Arranging for a woman living with Huntington's Disease to have appropriate visitation with feuding family members; and
- 3) Arranging through the Consulate of a foreign country the opportunity for a traumatically injured alien to return home to receive medical care.

The creation of Guardianship Corp has filled a huge void and allowed the Court to appoint compassionate professionals, volunteers and students whose primary focus is the care, safety and comfort of incapacitated persons. The hope is that this Pilot Project will be made permanent, serve as a model for other communities and be adopted throughout the State.

Very truly yours,

Thomas Maligno
Executive Dir. William Randolph
Hearst Public Advocacy Center and
Dir. of Public Interest
Touro Law Center

TM/cc