

## **Examples Illustrating the Need for a Legal Guardian:**

The Proposed Ward is referred to herein as “PW.”

- ❖ Struggles to remain focused and calm while performing a task, and must be presented with small segments of a task so that the PW does not become overwhelmed.
- ❖ Attempts self-harm, or to harm others, when the PW feels overwhelmed.
- ❖ Experiences debilitating anxiety if a routine of the PW is disrupted.
- ❖ Is challenged by extreme apprehension during turbulent weather and depends on the assistance of others to regain a sense of calm.
- ❖ Has difficulty assessing the motives and intentions of others, making the PW vulnerable to threats of physical, sexual, and emotional abuse.
- ❖ Is very trusting of others, and is eager to please others, placing the PW at great risk of someone taking advantage of that trust and harming the PW.
- ❖ Despite being told many times not to open the door to the family home, regardless of who may be knocking, opened the door to a neighbor who came by with a balloon bouquet.
- ❖ Is unable to lock or unlock doors using a key, increasing the risk of the PW for being unable to secure the PW or the surroundings of the PW.
- ❖ Needs assistance with bathing, brushing teeth, shaving, and other aspects of personal hygiene and cleanliness.
- ❖ Is unable to prepare meals, struggles with impulsive eating, and needs assistance to select a nutritious diet.
- ❖ Requires assistance with cutting or crushing food into manageable pieces, due to difficulties with chewing and swallowing as a result of decreased muscle tone.
- ❖ Needs assistance selecting modest clothing that is appropriate given the weather conditions.
- ❖ Would not know when would be appropriate to dial 9-1-1, or when to leave a building during an emergency, nor would the PW understand the need to move more quickly to seek safety, in the event of an emergency.
- ❖ Would be unable to articulate the name, address, or phone number of the PW, or that of the parents of the PW, if an emergency should occur.
- ❖ Is unable to navigate an unfamiliar location, even if the PW is given verbal or written directions.
- ❖ Requires assistance scheduling various doctor appointments, having prescriptions filled, and taking the proper dose of each medication.
- ❖ If the PW felt ill, would not know to call a doctor, would not be able to identify the appropriate type of doctor to call, and would not be able to communicate adequately the symptoms or health care needs of the PW.

Kristen M. Lewis, Esq. and Emma H. Barry, Esq.

## **Examples Illustrating the Need for a Conservator:**

The Proposed Ward is referred to herein as “PW.”

- ❖ Struggles with basic math and has difficulty comprehending the costs of goods and services.
- ❖ Struggles with differentiating the values of different sums of money.
- ❖ Can recognize coins and bills as currency but has difficulty doing basic addition and subtraction necessary to make “change” when purchasing such goods and services.
- ❖ Has no concept of getting correct change back in a transaction. For example, gave the teacher of the PW \$110.00 in exchange for pizza during a class “pizza day,” even though the PW was instructed that the pizza would only cost \$10.00.
- ❖ Is not aware that different occupations have different associated amounts of compensation.
- ❖ Does not understand the concept of saving money in order to purchase an item.
- ❖ Is unable to set or keep a budget.
- ❖ Is unable to pay any bills or other financial obligations.
- ❖ Is unable to manage a bank account or to monitor same for fraudulent activity.
- ❖ Does not understand the proper use of a credit or debit card.
- ❖ Without intervention, is apt to buy non-essential items over necessary items.
- ❖ Tends to simply “hand” money to others, regardless of whether the PW is financially able to do same while still providing adequately for the care of the PW.
- ❖ Would be unable to identify a financial scam, regardless of whether the scam occurred in person, via a telephone call, or via the internet.
- ❖ Is vulnerable to others who would take advantage of the PW financially, such as insisting that the PW pay for goods or services the PW would not otherwise purchase.
- ❖ Does not comprehend that the PW should be watchful of the possessions of the PW in public, or that someone may try to steal such possessions.
- ❖ Would not recognize if the PW had been robbed or if the possessions of the PW had been taken from the PW.
- ❖ Is capable of signing the name of the PW and, thus, is at significant risk for financial abuse, *e.g.*, credit card applications or sales transactions to which the PW cannot knowingly consent, as a consequence of the disabling condition of the PW.

Kristen M. Lewis, Esq. and Emma H. Barry, Esq.