

I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
72-35 (COR)	Amanda L. Shelton	AN ACT TO AMEND § 3112(b) OF CHAPTER 3, TITLE 7, GUAM CODE ANNOTATED, AND TO ADD A NEW § 3113 OF CHAPTER 3, TITLE 7, GUAM CODE ANNOTATED ESTABLISHING THE WORKING INTERDISCIPLINARY NETWORK OF GUARDIAN STAKEHOLDERS (WINGS), RELATIVE TO THE OFFICE OF THE PUBLIC GUARDIAN.	3/29/19 4:53 p.m.						

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 72-35(wr)

Introduced by:

Amanda L. Shelton 

AN ACT TO AMEND § 3112(b) OF CHAPTER 3, TITLE 7, GUAM CODE ANNOTATED, AND TO ADD A NEW § 3113 OF CHAPTER 3, TITLE 7, GUAM CODE ANNOTATED ESTABLISHING THE WORKING INTERDISCIPLINARY NETWORK OF GUARDIAN STAKEHOLDERS (WINGS), RELATIVE TO THE OFFICE OF THE PUBLIC GUARDIAN.

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1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that under Public Law 25-103, the Office of the Public Guardian (OPG) was
4 created for the purpose of furnishing guardianship services to the elderly and those
5 individuals who are mentally incompetent and to promote general welfare that
6 permits the elderly and individuals to participate as fully as possible in all
7 decisions that affect them.

8 As part of the OPG, the Public Guardian Review Board (Board) was
9 established to consistently monitor corporations and/or agencies appointed
10 guardians but the only mandatory duty was to review the care and protection of
11 those persons under guardianship by the Public Guardian every six (6) months.
12 The Board was to consist of eleven (11) appointed members that often were not
13 appointed and that made it difficult to have a quorum.

14 Therefore, *I Liheslaturan Guåhan* further finds that the duties of the Board
15 were too narrow and that size of the Board too large for the purpose stated. Since

1 the opening of OPG in 2001, the experience has been that almost all wards under
2 guardianship by OPG also receive services from various public and private entities
3 that provide input and oversight regarding the wards' well-being.

4 *I Liheslaturan Guåhan* further finds that in 2011, the National Guardianship
5 Network called for coordinated state court-community partnerships, called
6 “Working Interdisciplinary Networks of Guardianship Stakeholders” or “WINGS,”
7 which are broad-based, collaborative working groups that drive changes that will
8 affect the ways courts and guardians practice, and improve the lives of people who
9 have or may need guardians. In 2015, the Judiciary of Guam was awarded by the
10 State Justice Institute (SJI) a grant to launch a WINGS group in Guam.

11 Therefore, it is the intent of *I Liheslaturan Guåhan* to repeal the Public
12 Guardian Review Board and to replace it with a Working Interdisciplinary
13 Networks of Guardianship Stakeholders or WINGS program.

14 **Section 2.** Section 3112 (b) of Chapter 3, Title 7, Guam Code Annotated, is
15 hereby *amended* to read:

16 (b) **“Working Interdisciplinary Networks of Guardianship**
17 **Stakeholders” or WINGS.** The Office of the Public Guardian (OPG) and the
18 Judiciary of Guam shall establish Guam WINGS within the Judiciary of Guam to
19 bring together stakeholders from various public and private entities with interest in
20 the guardianship system for short-term and long-term planning and action to
21 improve the island’s spectrum of guardianship services and processes. Guam
22 WINGS shall replace the Public Guardianship Review Board. ~~Public Guardianship~~
23 ~~Review Board. Persons, corporations and/or agencies appointed guardians shall be~~
24 ~~consistently monitored through a Public Guardianship Review Board. Every six (6)~~
25 ~~months, the Board shall review the care and protection of those persons who are~~
26 ~~under guardianship by the Office of the Public Guardian. The review Board may~~

1 ~~review cases before the six (6) month period upon the request of the majority of the~~
2 ~~members of the Board. This review Board shall consist of eleven (11) members:~~

3 ~~(1) one (1) social worker appointed by the Director of the Department~~
4 ~~of Public Health & Social Services;~~

5 ~~(2) one (1) physician appointed by the Administrator of the Guam~~
6 ~~Memorial Hospital Authority;~~

7 ~~(3) one (1) nurse appointed by the Director of the Department of~~
8 ~~Public Health and Social Services;~~

9 ~~(4) one (1) representative of the Guam Council on Senior Citizens;~~

10 ~~(5) one (1) representative from a local nonprofit social service~~
11 ~~organization providing service to those with developmental~~
12 ~~disabilities, appointed by the Speaker of I Liheslaturan Guåhan;~~

13 ~~(6) one (1) attorney appointed by the Guam Bar Association;~~

14 ~~(7) one (1) representative from a local nonprofit social service~~
15 ~~organization providing services to the youth, appointed by the Speaker~~
16 ~~of I Liheslaturan Guåhan; and~~

17 ~~(8) three (3) members of the community at large appointed by the~~
18 ~~Speaker of I Liheslaturan Guåhan.~~

19 ~~(9) one (1) psychiatrist appointed by the Director of the Guam~~
20 ~~Behavioral Health and Wellness Center.~~

21 **Section 3.** Section 3113 of Chapter 3, Title 7, Guam Code Annotated, is
22 hereby *added* to read:

23 **§ 3113. “Working Interdisciplinary Networks of Guardianship**
24 **Stakeholders” or WINGS.**

25 (a) Responsibilities of Guam WINGS. Guam WINGS shall:

26 (1) Support policy initiatives for the enhancement of guardianship and
27 related infrastructure;

- 1 (2) Identify and develop education and outreach opportunities
2 regarding guardianships and their alternatives;
3 (3) Promote and provide training and support to those engaging in the
4 guardianship system;
5 (4) Promote high standards for guardians; and
6 (5) Regularly assess the need and priorities of the Guam WINGS
7 efforts.
- 8 (b) The Working Interdisciplinary Networks of Guardianship Stakeholders
9 (WINGS) shall have the authority to promulgate their own by-laws and/or
10 rules and regulations consistent with the responsibilities enumerated in (a).