

KEY RESOURCES ON CONSERVATOR EXPLOITATION

*This is the supporting key resource list for a series of eight Background Briefs produced by the National Center for State Courts and its partners under a project funded by the U.S. Department of Justice Office for Victims of Crime to assess the scope of conservator exploitation and explore its impact on victims.*

RESOURCE LIST

AARP & American Bar Association Commission on Law and Aging, *Guarding the Guardians: Promising Practices in Court Monitoring*, 2007,

[https://assets.aarp.org/rgcenter/il/2007\\_21\\_guardians.pdf](https://assets.aarp.org/rgcenter/il/2007_21_guardians.pdf)

Administrative Conference of the U.S., *SSA Representative Payee: Survey of State Guardianship Laws and Court Practices*, 2014,

[https://www.acus.gov/sites/default/files/documents/SSA%2520Rep%2520Payee\\_State%2520Laws%2520and%2520Court%2520Practices\\_FINAL.pdf](https://www.acus.gov/sites/default/files/documents/SSA%2520Rep%2520Payee_State%2520Laws%2520and%2520Court%2520Practices_FINAL.pdf)

American Bar Association Commission on Law and Aging, *Court Volunteer Guardianship Monitoring Handbooks*, 2011,

[https://www.americanbar.org/groups/law\\_aging/resources/guardianship\\_law\\_practice/court\\_volunteer\\_guardianshipmonitoring.html](https://www.americanbar.org/groups/law_aging/resources/guardianship_law_practice/court_volunteer_guardianshipmonitoring.html)

American Bar Association Commission on Law and Aging, *State Statutory Charts on Bond Requirements, Complaint Processes; and, with S. Hurme, Court Monitoring*, 2017-2018,

[https://www.americanbar.org/groups/law\\_aging/resources/guardianship\\_law\\_practice.html](https://www.americanbar.org/groups/law_aging/resources/guardianship_law_practice.html)

American Bar Association Commission on Law and Aging, Vol. 38, Issue 3, *A Survey of Privacy Protections in Guardianship Statutes and Court Rules*, 2017,

[https://www.americanbar.org/groups/law\\_aging/publications/bifocal/vol\\_38/issue\\_3\\_february2017/privacy-guardianship.html](https://www.americanbar.org/groups/law_aging/publications/bifocal/vol_38/issue_3_february2017/privacy-guardianship.html)

American Bar Association, *Model Code of Judicial Conduct*, 2011,

[https://www.americanbar.org/content/dam/aba/administrative/professional\\_responsibility/2011\\_mcjc\\_preamble\\_scope\\_terminology.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/administrative/professional_responsibility/2011_mcjc_preamble_scope_terminology.authcheckdam.pdf)

Center for Guardianship Certification, *2017 Annual Report*,

<http://guardianshipcert.org/wp-content/uploads/2018/01/CGC-Annual-Report-2017.pdf>

Hurme, S, *State Statutory Charts on Criminal and Credit Background Checks*, 2017-2018,

[https://www.americanbar.org/groups/law\\_aging/resources/guardianship\\_law\\_practice.html](https://www.americanbar.org/groups/law_aging/resources/guardianship_law_practice.html)

Hurme, S, *State Statutory Charts on Guardianship Certification*, March 2018,

[https://www.americanbar.org/groups/law\\_aging/resources/guardianship\\_law\\_practice.html](https://www.americanbar.org/groups/law_aging/resources/guardianship_law_practice.html)

Kohn, N. & Koss, C., *Lawyers for Legal Ghosts: The Legality and Ethics of Representing Persons Subject to Guardianship*, *Washington Law Review*, Vol, 91, No. 2, pp. 581-636, 2016,

[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2788912](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2788912)

National Association for Court Management, *Adult Guardianship Guide*, 2013-2014,

[https://nacmnet.org/sites/default/files/publications/AdultGuardianshipGuide\\_withCover.pdf](https://nacmnet.org/sites/default/files/publications/AdultGuardianshipGuide_withCover.pdf)

National Center for State Courts, Center for Elders and the Courts,  
<http://eldersandcourts.org>

National Center for State Courts, High Performance Court Framework, Achieving High Performance: A Framework for Courts, 2010,  
<https://cdm16501.contentdm.oclc.org/digital/collection/ctadmin/id/1874>

National Center for State Courts, Adult Guardianship Data and Issues: Results from an Online Survey, for Conference of Chief Justices/Conference of State Court Administrators, 2010,  
<http://www.flcourts.org/core/fileparse.php/539/urlt/Adult-Guardianship-Court-Data-and-Issues-Results-from-an-Online-Survey-2010.pdf>

National College of Probate Judges, National Center for State Courts, National Probate Court Standards, 2013,  
<https://ncsc.contentdm.oclc.org/digital/collection/spcts/id/240>

National Guardianship Association Legal & Legislative Review, published annually,  
<https://www.guardianship.org/education/publications>

National Guardianship Association, Standards of Practice, 2013,  
<https://www.guardianship.org/standards>

Uniform Law Commission, Uniform Guardianship, Conservatorship and Other Protective Arrangements Act, 2017,  
[http://www.uniformlaws.org/shared/docs/Guardianship%20and%20Protective%20Proceedings/UGCOPAA\\_Final\\_2018jul9.pdf](http://www.uniformlaws.org/shared/docs/Guardianship%20and%20Protective%20Proceedings/UGCOPAA_Final_2018jul9.pdf)

U.S. Government Accountability Office, Elder Abuse: The Extent of Abuse by Guardians is Unknown but Some Measures Exist to Help Protect Older Adults, GAO-17-33, November 2016,  
<https://www.gao.gov/assets/690/681088.pdf>

U.S. Government Accountability Office, Oversight of Federal Fiduciaries and Court-Appointed Guardians Needs Improvement, GAO-11-678, August 11, 2011,  
<https://www.gao.gov/assets/330/321761.pdf>

U.S. Government Accountability Office, Guardianships: Cases of Financial Exploitation, Neglect and Abuse of Seniors, GAO-10-1046, September 2010,  
<https://www.gao.gov/assets/320/310741.pdf>

U.S. Government Accountability Office, Guardianships: Collaboration Needed to Protect Incapacitated Elderly People, GAO-04-655, July 2004,  
<https://www.gao.gov/assets/250/243297.pdf>

U.S. Senate Special Committee on Aging, Guardianship for the Elderly: Protecting the Rights and Welfare of Senior with Reduced Capacity, December 2007,  
<http://supporteddecisionmaking.org/legal-resource/guardianship-elderly-protecting-rights-and-welfare-seniors-reduced-capacity>

*This series of background briefs was produced by the National Center for State Courts and its partners under Grant No. 2015-VF-GX-K019, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this report are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.*

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