



Office for Victims of Crime  
**OVC**

## Guardianship Review Protocol

# Well-Being Red Flags

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Well-being reports are filed by the guardian, typically on an annual basis, to provide information on the person's condition, the services and care they are receiving, and any significant actions taken by the guardian. This list of red flags is intended to help the reviewer identify potential problems in the guardianship but is not an exhaustive list. For more information, see [www.eldersandcourts.org](http://www.eldersandcourts.org). For guidance on court responses to potential problems, see [https://www.eldersandcourts.org/guardianship\\_conservatorship/resources-for-courts/response-protocol](https://www.eldersandcourts.org/guardianship_conservatorship/resources-for-courts/response-protocol).

## The Big Picture

1. The person no longer needs a guardianship or needs a change to the type or scope of the guardianship
2. There are concerns about the person's safety or well-being
3. The guardian is struggling
4. The guardian does not cooperate with the court and/or not enough information has been provided to assess those items

These are items that require immediate attention by the court. See [https://www.eldersandcourts.org/guardianship\\_conservatorship/resources-for-courts/response-protocol](https://www.eldersandcourts.org/guardianship_conservatorship/resources-for-courts/response-protocol)

## The person no longer needs a guardianship or needs a change to the type or scope of guardianship

- Evidence of regained or restored capacity
- The person has asked for the guardianship to end

## There are concerns about the person's safety or well-being

- Lack of visitation/face-to-face contact by the guardian/conservator
- Isolation
- Issuance of order of protection
- Person is homeless or in dangerous living conditions

- Possible physical/sexual/financial abuse
- References to criminal activity by any person involved in the guardianship
- Complaints by the person, family, friends, or neighbors
- Missed medical appointments
- Hospitalizations
- Change of residence without approval of the court
- Frequent changes of residence
- Guardian does not cooperate with health or social service providers
- Questionable level of care

### **The guardian is struggling**

- Frequent calls to the court/clerk/monitor
- Change in the quality of the report
- Comments in the report that indicate guardian stress, including requests for removal

### **The guardian does not cooperate with the court and/or not enough information has been provided to assess those items**

- Late reports: reports not received by the due date (typically plus some grace period)
- Missing/incomplete reports
- Identical or copied reports from previous years
- Lack of response to the court

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