

Prepared for North Valleys CAB



Public Guardian

Tracey Bowles,
M.A., MFT, CPM, NCG

Public Guardian
Appointed 2019, 2023



Definition of Guardianship

Guardianship, is a legal process, utilized when a person can no longer make or communicate safe or sound decisions about his/her person and/or property or has become susceptible to fraud or undue influence.

"Civil Death"

Because establishing a guardianship removed considerable rights from an individual, it should only be considered after alternatives to guardianship have proven ineffective or are unavailable.

Reasons a Guardianship May Be Needed

- **The person lacks capacity as defined by NRS 159.019 preventing them from being able to receive and evaluate information or being able to communicate in order to meet their basic needs.**

- Alzheimer's Disease
- Dementia
- (Vascular, Parkinson's, substance induced, etc.)
- Stroke
- Traumatic Brain Injury
- Developmental Disabilities
- Mental Illness

- Inability to provide informed consent for medical issues
- Inability to maintain or attain income or benefits
- Inability to maintain shelter (not simply homelessness)
- Inability to protect self from exploitation.

Make poor choices is not a reason to get a guardianship.



Alternatives to Guardianship

- Powers of Attorney for health care or financial management
- Living Wills
- Trusts
- Case/care management services
- Representative Payee
- Community advocacy systems
- Joint checking accounts
- Community agencies/services
- Supported Decision Making <https://sdmnevada.org/>
- Psychiatric Power of Attorney

Decisions Guardians Make

~ Where you live ~ What medication you take or don't take ~ What food you eat ~ What you wear ~ Who visits you ~ Who your medical provider is ~ What medical treatment or procedures you have – including surgeries and amputations ~ Marshall your income and assets ~ Determine how your assets will be spent ~ Inventory your personal belongings ~ Decide what will be saved and sold and what will be tossed or given to your family ~ Sell your home ~ Use those funds for your care regardless of the preferences in your will or trust ~ Apply for State or Federal benefits you may be eligible for ~ Maintain your eligibility for those programs ~ Determine how your quality of life will be enhanced ~ What happens to your pets ~ Your contact with your loved ones ~ Choose your final disposition ~

Decisions the Guardian Needs Court Permission

Moving a person out of state ~ *Moving a person to a locked mental health placement* ~ *Giving psychotropic Medications* ~ Selling a Person's House ~ Long term restrictions to visitation with relatives ~ Consenting to Experimental Treatment ~ Consenting to a person's involvement in an Experiment ~ Sterilization ~ Hiring a Lawyer ~ Opening an Investment account ~ Borrowing money in protected person's name ~ Giving Protected Person's monies to other as a gift ~ make changes in a trust ~

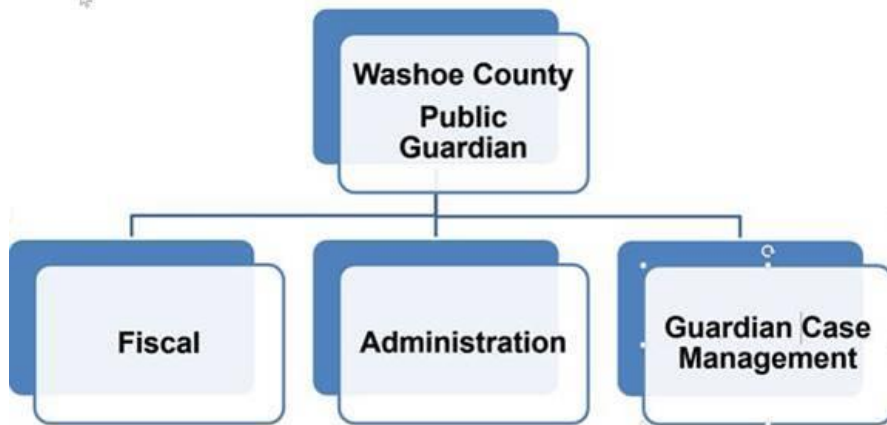
Guardian of “Last Resort”

- Resident of Washoe County
- No Alternatives Exist for Guardianship
- No Family or Friends who are Willing and Able to Serve

Serve for
30% of court
caseload

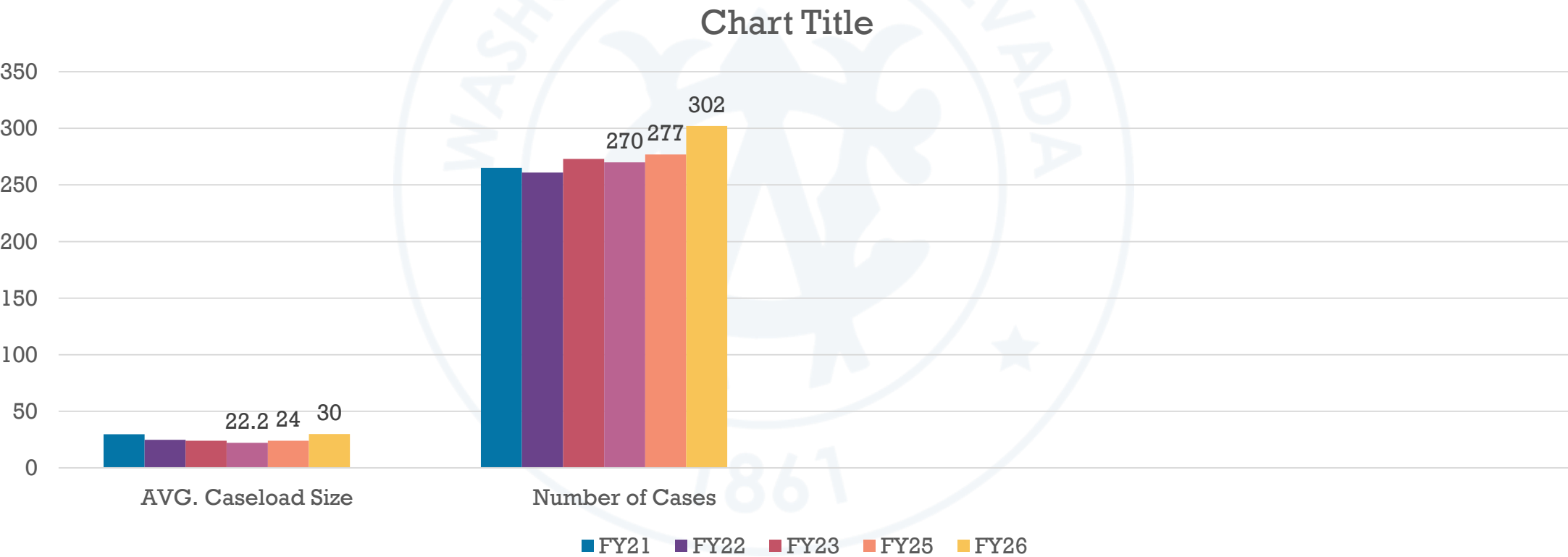
20 FTE

1 Public Guardian
3 Fiscal Staff
3 Administrative Staff
11 Guardian Case Managers
2 Supervising Guardian Case Managers





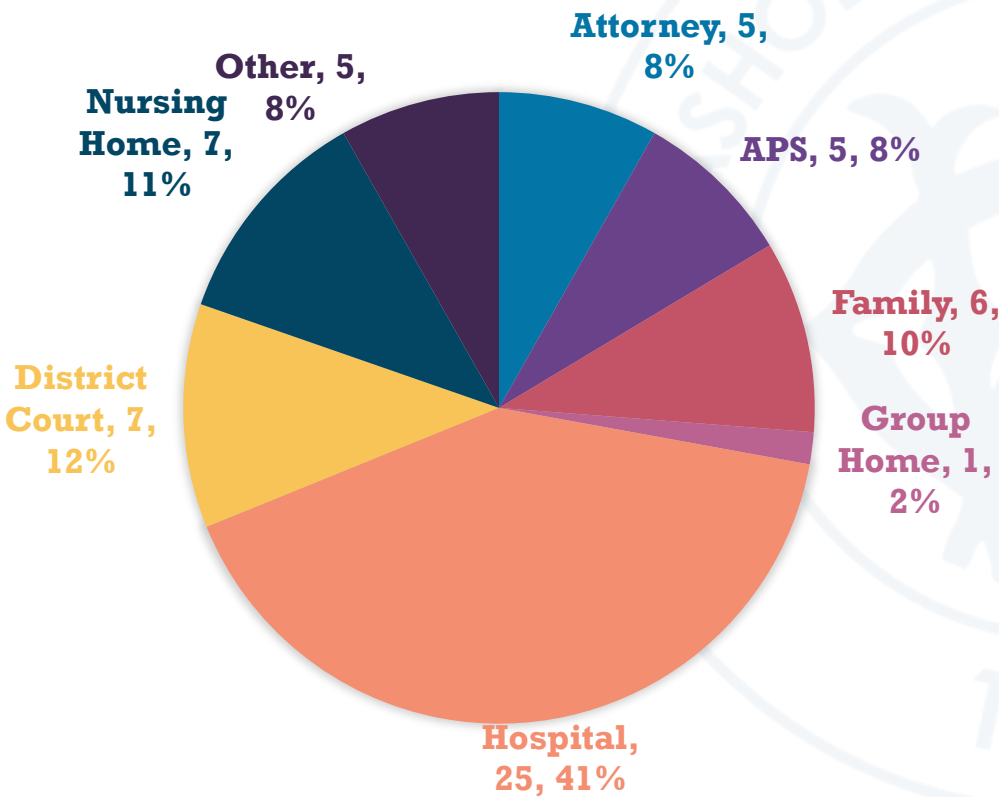
Caseload Ratio* 1:30 Recommended 1:20



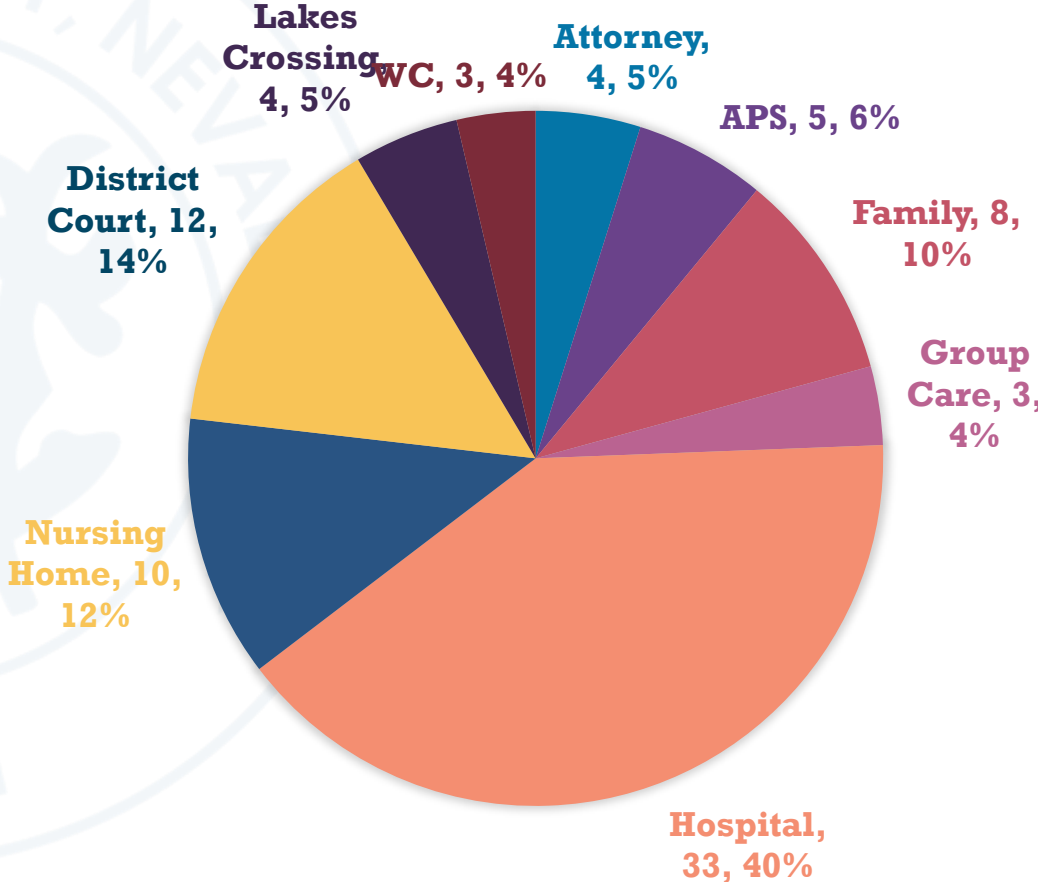


Referrals

REFERRAL SOURCES FY 25

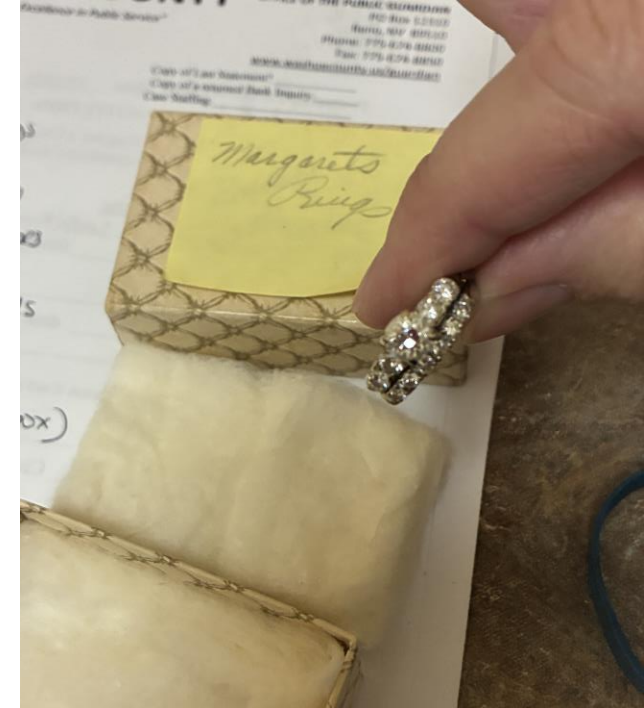
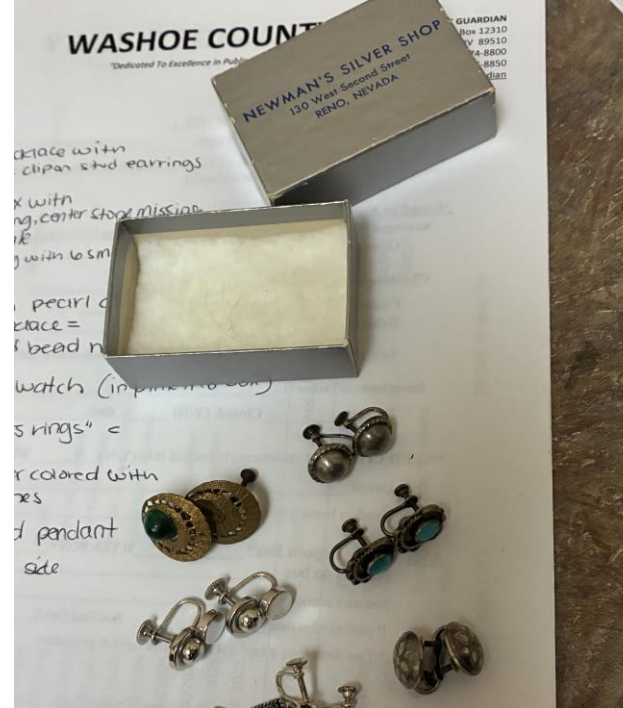


REFERRAL SOURCES FY 26*





Typical Day in the PG'S Office



Inventorying a Safe Deposit Box



**Medical Consent, Paperwork,
Paying Bills, Decisions!**



**The Heart of the Work is The
People We Serve**



What can you do so you or a loved does not need a guardian?

- Identify the people who could help support you in the future
- Talk to them about your wishes
- Write down your wishes
- Formalize Legal Paperwork

Powers of Attorney for health care or financial management, Living Wills, Trusts, Supported Decision Making agreements, Psychiatric Power of Attorney

- Tell your people where to find your forms or give them a copy.
- File them with the Nevada Lockbox
- Periodically talk to your people about their continued willingness to support if needed and update your forms when you have new people



Resources:

Second Judicial District Court Website: <https://www.washoecourts.com/AdultGuardianship>

- Information and Training for Guardians
- Forms for Filing and Managing Guardianships
- Statistics
- Tools and links to Self Help Center

State of Nevada Administrative Office of the Courts Nevada Guardianship Decision Tool: [State of Nevada Administrative Office of the Courts](#) [Nevada Guardianship Decision Tool](#)

Washoe County Public Guardian

<https://www.washoecounty.gov/guardian/>

Nevada Secretary of State – Nevada Lockbox

<https://www.nvsos.gov/online-services/nevada-lockbox>

Thank you

