

Advocates for Guardianship Reform

promoting disability rights through ADA compliance*



Suggestions to the U.S. Department of Justice to Secure ADA Compliance by Missouri's Guardianship System

To remedy the ADA violations identified in its [report](#), the DOJ should focus on: (1) underfunding of public administrators who act as guardians; (2) inadequate education of judges on the ADA and less restrictive alternatives to guardianship including supported decision-making; (3) lack of training and performance standards for court appointed counsel (CAC) in guardianship cases and insufficient funding and ancillary resources for such attorneys to defend their clients; (4) annual reports of guardians are not sent to the guardianized adult (or CAC) so there is no opportunity for these disabled adults to contest their contents; (5) CAC abandon clients when a guardianship order is entered, resulting in the denial of meaningful access to counsel for guardianized adults for years; (6) the process of modifying or terminating guardianships is not being made accessible to guardianized adults.

Hulme Resources Inc. provides education and counseling to people with disabilities and families in Missouri to secure supports and services to enable independent or supported living without the need for a guardianship if possible. With federal funding, the nonprofit operates the Alternatives to Guardianship Project. Spectrum Institute promotes disability rights through research, education, and advocacy, including the education of judges and attorneys on the proper application of the Americans with Disabilities Act to adult guardianship proceedings. The Center for Estate Administration Reform monitors abuses by state guardianship systems, including in Missouri, and promotes systemic reforms to secure justice for seniors and people with disabilities who become entangled in these cases.

Advocates for Guardianship Reform is a collaboration of: Jennifer Hulme, founder and executive director of [Hulme Resources Inc.](#); Thomas F. Coleman, founder and legal director of [Spectrum Institute](#); and Rick Black, founder and director of the [Center for Estate Administration Reform](#). They appreciate the positive feedback these proposals have received from colleagues at Missouri Protection and Advocacy and at the Missouri Association of Public Administrators.

Jennifer Hulme
jennifer@gohulme.com

Thomas F. Coleman
tomcoleman@spectruminstitute.org

Rick Black
cearrick@gmail.com

* Title II of the Americans with Disabilities Act applies to the entire guardianship system in Missouri. Section 504 of the Rehabilitation Act of 1973 applies to the judicial branch which conducts guardianship proceedings.