

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

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Policy Issue Resources

Publication

In 2005, the Vera Institute of Justice and New York State's Office of Court Administration initiated The Guardianship Project (TGP) to serve as court-appointed agency guardian to a vulnerable, largely indigent population: elders and persons with disabilities lacking family or other support, thus enabling them to live as independently as possible. This study aimed to analyze ways to increase and improve guardianship and decision support services for this challenging and often overlooked population. Specifically, it (1) documents the need for guardianship and decision support services for the population; (2) assesses the current local and state ability to meet that need; (3) explores the best practices of states providing comparable guardianship and decision support services; (4) assesses the TGP model of guardianship to ascertain if it is an appropriate model for expansion to meet the increased need in New York City and in other parts of the state; and (5) highlights barriers in court guardianship processes in New York City and State and improvements that might be made.

While data is lacking, the study's surveys and interviews uncovered a compelling and undeniable unmet need for guardianship and related services for individuals in New York who are indigent, have been named by a court as incapacitated, and who have no one available to serve in that role.

The study uncovered a marked need for increased funding to provide for guardians in low-fee/no-fee cases where there is no one else to serve.

New York's courts are under-resourced, resulting in delays, inefficiencies, and lack of oversight of guardians.

A multidisciplinary team model approach to the provision of guardianship and related services, and a low ratio of staff to individuals served, is recommended for high quality, person-centered services.

PUBLICATION

NEWS

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