

## RE: Adult Guardianship Petition - Coding the Law Final Project

Sarah Boonin

**Sent:** Tuesday, December 11, 2018 11:51 AM

**To:** Michelle Elizabeth Missigman

**Cc:** Benjamin Golden

Michelle,

This looks good so far, and I think it will be a good complement to the Guide and File (which I still very much want to finish!). Here are some thoughts as I went through the QnA. I hope these help. I think you should ultimately “round” this with the class and get input. Also, let’s keep our focus on this question: What does this QnA add – how does it make the process of petitioning easier; and/ or how does it improve the quality of the petitions that come before the court? I think those questions should guide this drafting process.

- I think you need to introduce what a “Respondent” is before you do anything else. The way it was set up is that you named the Respondent and then the interview used that name when asking questions. Same with the other parties. I think that created an ease of flow for the user.
- The information about when a conservatorship may be necessary is a bit too definitive. It’s squishier than that, so you might need to temper that language a bit.
- The question about why is the proposed guardian interested – look at the petition – is it asking for the proposed guardian’s interest or the petitioner’s interest? Be clear. Also, what do you mean by “interest” – does it mean what is the basis for your interest in the welfare of the person, or does it mean why do you want the guardianship. I think it means the former, but people confuse it for the latter. Can you clarify?
- I think some of the questions need to be taken “down” a few levels. E.g. – “Is the proposed guardian nominated in a durable power of attorney by Respondent?” I don’t think a layperson will understand this question.
- I am experiencing a weird phenomenon – the screen is scrolling up after each answer not down. Can that be fixed? That could be a David C. issue?
- In terms of limiting the guardianship – I think more needs to be done in this section, as you suggest below. I think leaving the person to the schedule A isn’t going to work in practice. They won’t do it – they won’t understand, etc. I wonder if the first step is to explain limited guardianships – the different ways to limit them, what the law requires, etc. I recall the old interview does some of this?
- I do think you need more on the Health Care Proxy. If it is working, then you might not need the guardianship at all. I think the old interview had a bunch of questions to get to that issue. You might consider using those questions, or at least some of them.
- I’m not sure it is helpful to tell people that once they download the petition, they’ll need to fill out names and information. I wonder if that detracts substantially from the value of this QnA. A person then must fill this out, but then still need to print the form, fill parts of it out, and then file it... I know the names and addresses are laborious, but I think they add value.
- For the assets, I think you need to break up the questions a bit. For example, does the person have a bank account (either on his/her own or jointly)? What bank? How much is in it? Does the person have any property? Where is it located? What is it worth? Does the person have....
- I wonder if the questions about intellectual disability should go up front – the nature of the person’s disability goes to the heart of this whole process. I am thinking that should be addressed much earlier on – why the guardianship?
- The Rogers section needs to be tightened a bit. For example, you don’t need a separate petition for rogers guardianship.
- When I hit “download,” nothing happens. Is that just because this is a test page?

I hope this helps,

Sarah

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**From:** Michelle Elizabeth Missigman  
**Sent:** Thursday, December 06, 2018 9:41 PM  
**To:** Sarah Boonin <[sboonin@suffolk.edu](mailto:sboonin@suffolk.edu)>  
**Cc:** Benjamin Golden <[bkgolden@suffolk.edu](mailto:bkgolden@suffolk.edu)>  
**Subject:** Adult Guardianship Petition - Coding the Law Final Project

Hi Sarah and Ben,

I've completed the QnA portion of the Adult Guardianship Petition for my Coding the Law project. I just need to add the Petition to be downloaded with the information and add an additional document detailing the next steps for the person filling out the form. You can see what I have done so far here: [https://mmissigman.github.io/ctl\\_final/QnADraft.html](https://mmissigman.github.io/ctl_final/QnADraft.html). If you want to see all the questions without the formatting, you can see the text here: [https://mmissigman.github.io/ctl\\_final/QnADraft.txt](https://mmissigman.github.io/ctl_final/QnADraft.txt) (although it may be difficult to read).

I decided not to add any questions about personal information, such as names, addresses, and contact information because it became very tedious to ask for each portion of information and the QnA would take a very long time to complete. Instead, I plan to make it easy for the person filling out the form to download it and add that information themselves. I think this will also help protect their personal information in the long-term.

I used the questions and explanations from Guide and File as Sarah asked, but I reorganized the order so that the questions that evaluate whether this form is right for the person filling it out are at the start, such as whether the Respondent has been in MA for more than 6 months and whether the Respondent can make decisions for themselves.

Specific areas that I would like feedback on are:

- Formatting - I can bold or italicize anything that you think should be called attention to or differentiated. For example, I was debating whether I should place the information in parenthesis that explains certain questions in italics so that it looks distinguished from the question. I can also separate text into another line or another bubble if that makes it easier to read.
- Any areas that require more explanation or a link to another site.
- The Health Care Proxy question - I noticed the word document that Mike (last year's fellow) took notes in expands a lot more on this question. I'm attaching his notes to this email if you are interested in taking a look (it asks questions such as whether they still need a guardian despite having an HCP and about revoking the HCP). Let me know if I should add additional information about the health care proxy.
- The question asking "State the reasons why a limited guardianship is inappropriate" on page 2 of the petition - I think that this could be rephrased or explained better, but I'm unsure how and am debating whether I should leave

it as is.

- I left out the question on Bonds at the last page of the petition form because I think this needs further explanation, which is something I can do at the end when the person prints out the additional "next steps" document.

What I plan to add to the "next steps" document are areas in the form that still need to be completed (first page info on the parties and the notice section on page 3 of the petition) and list out the other documents that need to be completed along with this petition.

Sorry for the lengthy email, I realize that you both are probably very busy. If either of you can review the QnA at some point before our meeting on Tuesday at 4pm, I would greatly appreciate it and maybe we can make some time during that meeting to talk about this project and any suggestions/corrections/concerns you may have. I plan to have the petition be downloadable by Monday. The due date for this project is on December 19, so we have some time to fix any issues or concerns you have.

Thank you for your time and for helping me with this project!

Best Regards,

**Michelle E. Missigman**

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