

Guardian/Conservator Program Decides for Those Who No Longer Can

by Jan Wieser, Director of the Guardian/Conservator Program

As the Director of the Guardian/Conservator Program with Catholic Charities, I get asked the following question a lot: “What *is* a guardian and what *is* a conservator?!” To put it simply, a guardian is someone who has been given by the court legal authority to make some or all personal decisions for an individual who is unable to do so because of an injury, illness or disability. A conservator is someone who has been given by the court legal authority to make decisions regarding a person’s property and financial affairs. Although, these are simple definitions, the service we provide is far from simple. Let me share the following scenario:

Your mom goes in for a significant yet relatively uncomplicated surgery only to suffer a stroke during the procedure which renders her paralyzed on the left side and leaves her with significant brain damage. Your once capable and independent mom is now unable to understand, let alone make, a sound decision regarding her own healthcare including where she can now safely live. The stroke has also significantly altered her personality. Your pleasant mom is now nonsensical and angry and the target is you – her only involved relative. She is suspicious of you and even accuses you of stealing from her. Her new and bizarre behaviors are unrecognizable to you. Your vibrant mom is unrecognizable to you because she’s become bedridden with only a faint hope of being able to utilize a wheelchair in the future. The doctors affirm that your mom cannot return to her own home or live independently but instead will require around the clock care, at least initially. There is discussion about having to sell your mother’s home to pay for her care going forward. How can you possibly tackle this incredibly challenging situation when you, yourself, work full-time and have a spouse and children at home?!

A court appointed guardian, such as Catholic Charities, can help with decisions such as where to live once leaving the hospital, consent to any future medical care, and apply for any necessary benefits such as Medicare or Medical Assistance. Your parent may actually be able to return home if the appropriate supports are put into place; supports that a guardian will help orchestrate. It is also evident that your parent may require a conservator to assist with paying the bills, caretaking of the home and estate, and settling outstanding debt.

The Guardian/Conservator Program at Catholic Charities sees scenarios such as this one frequently. Replace the word ‘mom’ with son, daughter, sibling, grandparent, or spouse. Replace ‘surgery induced stroke and subsequent brain injury’ with developmental disability, mental illness, dementia, addiction, financial exploitation, or abuse. We provide guardianship and conservatorship for anyone over the age of 18.

While it is logical to appointment a family member as the guardian and/or conservator, there is an unquestionable peace of mind that our clients' family members experience by having a professional guardian and/or conservator, such as Catholic Charities, appointed. I wish I could count the number of times that a family member has told me that they just want to remain that - a daughter or son or brother, or parent, etc. They're not interested in being the person saddled with decisions that need to be made such as how and where to move a loved one because that loved one is no longer safe to remain in their own home that they've kept for decades. At Catholic Charities, we are accustomed to "taking the heat" while making these tough decisions. It's not often easy, but I can pretty much guarantee that it's much easier for us to announce the changes resulting from these decisions than it is for their own family member to do so.

The Guardian/Conservator Program team members at Catholic Charities possess college degrees in the helping professions and have many collective years of experience. We are compassionate, empathic, patient and competent. We embrace our work with humility and joy. We involve our clients as much as possible regarding the decisions that affect their lives such as medical care, housing, employment, nutrition, socialization, faith traditions, and finances. We are committed to keeping our clients, your loved ones, as independent as possible.

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