



Disability and Abuse Project Disability and Guardianship Project

1717 E. Vista Chino A7-667, Palm Springs, CA 92262
(818) 230-5156 • www.spectruminstitute.org

June 1, 2022

Honorable Steven C. González
Washington Supreme Court
P.O. Box 40929
Olympia, WA 98504-0929

Re: Adoption of ADA-Compliant Mental Health Access Standards by
the Certified Professional Guardianship and Conservatorship Board

Dear Chief Justice González:

We are sending this [letter](#) and attachments to you and the CPGC Board in advance of our presentation at the Board's meeting on June 13, 2022. As we address the relevance of our recently released [Consequences Report](#) to the mental health needs of adults who are living under an order of guardianship, we will be emphasizing the application of the Americans with Disabilities Act.

These materials should help the Board, under the supervision of the Supreme Court, develop standards of practice which protect the [rights](#) of protected persons and comply with [standards](#) adopted by the National Guardianship Association. They should also assist local courts and fiduciaries to meet their [obligations](#) under Title II of the Americans with Disabilities Act.

We have advised the Supreme Court [several times](#) regarding the application of the ADA to guardianship proceedings. We submitted a formal [ADA complaint](#) which was received but never acted on to our knowledge. With this letter, we are getting more specific by emphasizing that the ADA entitles protected persons to have effective communication and meaningful participation in ongoing guardianship proceedings, including prompt and equal access to mental health services when they are needed. Because guardians are "gatekeepers" to such services for individuals under their care, it is essential that the Board, under supervision of the Supreme Court, have a mechanism in place that maximizes access to mental health services for this vulnerable population. That requires specific standards of practice on this topic, proper training, and effective monitoring mechanisms.

We hope these materials and our upcoming presentation will help the Board fulfill its [duties](#) by taking appropriate steps to adopt ADA-complaint standards, training, and monitoring mechanisms to ensure prompt and equal access to mental health services for protected persons when they need it.

Respectfully submitted:

Thomas F. Coleman
Legal Director
tomcoleman@spectruminstitute.org

Christina Baldwin
Mental Health Project Director
christina.baldwin@spectruminstitute.org

cc: CPGC Board Members