

Mr. Phil Brest  
Chief Counsel  
Senate Judiciary Committee  
United States Senate

Dear Mr. Brest:

If Congress is serious about addressing the problem of toxic conservatorships, Spectrum Institute proposes the following ways the federal government can address this matter. (see below)

Please pass these proposals along to the staff at the subcommittee on the Constitution.

We are willing to assist senators in developing meaningful and effective legislation on this matter.

Respectfully,

Thomas F. Coleman  
Legal Director  
Spectrum Institute  
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<https://spectruminstitute.org/>

\* Funding positions for lawyers in the Disability Rights Section at Department of Justice (DOJ) who will focus exclusively on violations of the Americans with Disabilities Act by judges and attorneys in state guardianship and conservatorship proceedings. Right now, the lawyers in this section are sitting on complaints for years without taking action, probably due to under-funding.

\* Funding lawyers in the criminal division of the DOJ and investigators in the FBI who will focus on guardians and conservators who are violating federal criminal laws and thus making seniors and people with disabilities victims of federal crimes. Presently, federal prosecutors and investigators are ignoring these cases, probably due to under-funding.

\* Require that a certain percent of federal funds that are allocated to protection and advocacy agencies (like Disability Rights California) must be used to protect the rights of people with disabilities who are entangled in guardianship and conservatorship proceedings. Despite receiving tens of millions of federal dollars to protect the rights of people with disabilities, these agencies have been doing almost nothing for this particular population.

\* Require that any state or local courts that receive federal funds for any purpose must require attorneys who are appointed by the court to represent protected persons in guardianship or conservatorship proceedings to attend periodic training programs on the application of the Americans With Disabilities Act and section 504 of the rehabilitation act to guardianship and conservatorship proceedings. Right now, the courts (and appointed attorneys) act as though the ADA does not apply to these proceeding, which is not true.