

EXECUTIVE DIRECTOR OF THE OFFICE OF PUBLIC GUARDIAN

Comment [M1]: Is this Ed for the pilot project only? Or for the pilot and any permanent OPG?

The *Office of Public Guardian (OPG)* is now accepting applications for the position of Executive Director. Below is the position description.

Compensation for this position is allocated at \$ _____ annually.

Mission of the Office of Public Guardian:

The mission of the Office of Public Guardian aims to oversee and provide guardianship for indigent and incapacitated adults when other guardianship possibilities are exhausted. If Colorado adults lack responsible family, resources to compensate a private guardian, and public service organizations cannot provide guardianship, the OPG provides guardianship legal services to secure the health and safety of these individuals while preserving their independence wherever possible.¹

Comment [M2]: You do not want to say "legal" services. This implies representation of a guardian.

OPG Values:

Availability of guardianship: The OPG should meet the need of guardianship for adults who possess no other options to ensure that all adults have their needs met.

Autonomy for adults: Guardianship should respect the concerns and decisions of those adults under a court appointed guardianship, and—where possible—assist adults to regain or develop their capacities.

Comment [M3]: Assist? Where is a guardian ordered to do that? ISs there a better word?

~~*Availability of guardianship: The OPG should meet the need of guardianship for adults who possess no other options to ensure that all adults have their needs met.*~~

Accountability for services: The OPG should track services provided in order to allocate resources to meet guardianship needs

Executive Director Position Description:

Applicants should refer to C.R.S. § 13-94-104 et seq. for a comprehensive description of and minimum requirements for the position.

The Executive Director serves at the pleasure of the five-member appointing commission and is responsible for ensuring that the office meets the requirements of C.R.S. § 13-94-104 et seq.

The Executive Director will perform the following:

- ❖ Establishment, development, direction, and administration of the Office of the Public Guardian, including creation of professional standards for the and a code of ethics for office employees

¹ Until 2021, the Office of Public Guardian will be a pilot program serving the second, seventh, and seventeenth Judicial Districts of Colorado.

and guardian-designees, cultivation of relationships with relevant stakeholders, implementation of a data management system, and adoption of eligibility and prioritization criteria for referrals;

- ❖ Supervision, hiring, and termination of office employees, including
 - Establishing expectations and provide employee performance feedback on an on-going and annual basis, and assist employees in establishing goals,
 - Providing recommendations regarding employee's employment probationary/trial period;
- ❖ Contracting of guardiansattorneys and management of contracts, including
 - Engagement of outreach and recruitment efforts to obtain a diverse and qualified pool of applicants,
 - Interviewing and evaluating potential new attorney contractors,
 - Evaluation and monitoring guardianattorney contractors' compliance with statutory requirements, best practices, any Chief Justice Directives and OPG policies, establish performance standards and provide performance feedback and evaluations,
 - Determination of appropriateness of guardiaqn-lawyer appointments and adjust OPG guardian appointment lists —in each judicial district as necessary,
 - Establishing billing policies and procedures; reviews contractor invoices and approves payment requests, and
 - Provision of relevant, accessible attorney training statewide;
- ❖ A review of referrals to the office;
- ❖ Recruitment, training, and oversight of guardian-designees;
- ❖ Handling and responding to complaints against the office, and making judgments about whether investigations of cases should be pursued;
- ❖ Maintenance of a public guardianship data management system;
- ❖ Office management, financial planning, and budgeting for office;
- ❖ Securing funding in the form of gifts, grants, donations, and allocations secured through working with the General Assembly and Joint Budget Committee;
- ❖ Public education and outreach regarding the role of the office and guardian-designees, including requests for information;
- ❖ Analyze legislation impacting the OPG, and advocate for the interests of the OPG and the adults it represents;

Comment [M4]: I believe we are looking for guardians, not attorneys. This is a HUGE point we need to discuss. I thought OPG is to take guardian appointments NOT to be a substitute for the legal work done by a petitioner (like APS). If OPG is to be the petitioner than OPG will be put into contested guardianship proceedings and it will become more legal service than guardianship service. UNLESS, we expect OPG to do both. This changes the dynamic and funding significantly.. We have to figure this part out. Of course there will need to be a staff lawyer or two perhaps, but if OPG does every case from Petition forward (instead of being a nominee) this needs to be vetted out.

- ❖ Report on OPG activities, concerns, and issues to OPG commission members, including the OPG budget, legislation, policies, and mandates;
- ❖ Reporting on the activities of the OPG and the need of guardianship services in Colorado to the General Assembly;
- ❖ The Executive Director is also responsible for special duties pursuant to the statutory evaluation of the OPG occurring by January 1, 2021 and found in C.R.S. 13-94-105(4) et seq.