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GUARDIANSHIP SOLICITATION

The Department of Correction (DOC) is seeking individuals who are interested in being appointed as the guardian of an incapacitated inmate in DOC custody.

DOC files its guardianship petitions in the various probate courts throughout the state.

The need for such an appointment may occur gradually, over time, as with an inmate who develops dementia as he/she ages, or it may arise due to an inmate's temporary incapacitation or chronic mental illness. Typically, such an appointment involves making ordinary medical decisions for the incompetent inmate. There are no money management duties.

Courts make the significant medical decisions, such as major surgery, amputations, treatment with antipsychotic medications, and end of life decisions.

Being appointed as an inmate's guardian entitles the guardian to access all information that would be accessible to the inmate.

Courts require that the guardian file an annual report on a court form. The report contemplates that the guardian will have visited the inmate, reviewed medical records, and inquired with medical staff as to the inmate's current medical condition and treatment.

The duration of the guardianship appointment may vary from a 90-day temporary appointment, subject to further 90-day extensions, which may be used to address acute, emergency type issues, to permanent, for the life of the incapacitated inmate. There is a process through which a guardian may seek to resign from the appointment or if the incapacitated inmate becomes competent or dies, the guardianship may also be terminated.

Courts require that the guardian submit a bond form, agreeing to be answerable to the court on the guardianship matter and to undergo a criminal background check before being appointed.

A guardian is not responsible for any of the actions taken by the incapacitated inmate, nor for any of his/her debts incurred.

IF YOU ARE INTERESTED IN ASSISTING IN THIS IMPORTANT TASK, PLEASE CONTACT:

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