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Re: AB 365

From: Kathleen Buchanan
Clark County Public Guardian

Good Morning Mr./Mrs. Chair and Committee Members,

The Clark County Public Guardian's Office supports this bill.

The Clark County Public Guardian's Office manages approximately 700 individuals in the Guardianship Program. The court appoints our office when there is no other willing or able person to serve in this capacity. Our office responds to numerous referrals, investigations and court reports on a routine basis. Many of these victims lack the capacity to recognize their own compromised medical condition and, therefore, are unable to protect themselves or their financial affairs.

It is from a practical view that I share my experience and insight in support of the recommended revised changes. My tenure began 18 years ago with the Clark County Public Guardian's Office. I have grown with the program as we have expanded from basic Medicaid/County cases to highly complex cases, requiring us to address the sell of businesses, file bankruptcies, managing property, enter into contracts, securing divorces, and obtaining authority to sell real property out of state on behalf of our wards. We have also found it necessary to obtain appropriate medical evaluations and requested court hearings to review the capacity of the ward as it relates to "wills" and the testament of the ward, as well as, intricate trust issues. The existing statutes have been vague and ambiguous in lending guidance to guardians, attorneys, guardianship commissioners and judges. We have worked within the confines of the law by applying the applicable chapters of the probate code (NRS 132.060) and the guardianship code (NRS 159) in finding resolve.

The suggested changes are welcomed and are designed to make the Guardianship Code stand on it's own.

The expertise, time and energy placed into this body of work has been thoughtfully orchestrated to protect everyone it serves. I thank all of the individuals who devoted their talents to urge its adoption.

Thank you for the opportunity to speak on AB365.



**Clark County Public
Guardian's Office**

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Clark County Public Guardian

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ASSEMBLY JUDICIARY

DATE: 3/25/03 ROOM: 3138 EXHIBIT 5
SUBMITTED BY: KATHLEEN BUCHANAN