

STATE GUARDIANSHIP ISSUES

Where is the program located?

State guardianship has social workers in the field across the state. The fiduciary piece is centered in Frankfort. So while your client may have a local social worker, all finances need to go through the Frankfort office.

What financial resources does state guardianship bring to clients?

State guardianship has no additional resources to support people; only what the individual has on his/her own.

Do state guardians pay taxes when purchasing items for clients?

Yes, guardians do pay taxes on purchases for people.

Why do people not receive their own pay check?

If someone has been appointed a state guardian it is because a jury of this person's peers has decided that s/he is not able to manage their own money. The actual pay check (not just the stub) must go to the State Guardianship office in Frankfort to be deposited and entered into the ledger. The timely receipt of this check is for accountability purposes and is both a federal and state mandate.

What is a "wage allowance" check?

Also referred to as the "blue check," this is a supplemental amount of money that the state may issue, based upon the recommendation of the individuals' field worker. You can talk with the field worker to have such a check issued so that the individual may receive it at the same time s/he would otherwise receive a paycheck. The amount of this check is based upon the individual's plan, but usually will not be the full amount of the paycheck.

How can someone have access to his/her money?

Many people with a guardian do have employment as part of their plan. If you believe an individual can manage or wants to learn to manage money, you need to talk with that individual's guardian about petitioning the court for an appointment to be modified so that a small checking account for "therapeutic purposes" can be opened. The individual will have to appear in court with the guardian and explain it would be in his/her best interest to have support program staff work on teaching fiscal responsibility by helping him/her learn to balance a check book and handle money.

How can we help the individual petition for a modification request/restoration of certain rights?

As discussed above, you will need to talk with that individual's guardian about petitioning the court for restoration of rights. You can assist the guardian in getting the necessary documentation (i.e. from psychiatrist, social worker, physician, etc.) and have them explain why the modification to the current plan is in the best interest of the individual. Be sure to discuss your ideas with the individual's case worker and guardianship field worker.

What can we do to work with State Guardianship to benefit the individual?

A positive relationship with the field worker will help when you believe modifications to the individual's plan would be beneficial.

Learn all you can! Visit the Kentucky Guardian Association's website at www.kentuckyga.com to learn more.

Remember, sometimes a private guardian is possible for people. Help family members or other interested persons learn the reality of guardianship. It is easier for a private guardian to monitor accounts, so people may have greater access to their own money. Plus, the obvious benefit of having someone responsible for this individual that knows and cares about him/her. State guardianship is a last resort. If there is an appropriate person who is willing and able, let state guardianship know so that they can talk with this person also. State guardianship has many times worked with a new guardian on reports to the courts and general guardianship issues and helped them work through their fears of becoming a guardian which can be a very rewarding experience.