

U.S. SENATOR BOB CASEY

 RANKING MEMBER *Special Committee on Aging*

Sen. Casey's Opening Statement
Ensuring Trust: Strengthening State Efforts to Overhaul the Guardianship Process and
Protect Older Americans
November 28, 2018

“Chairman Collins, thank you very much. Thanks for holding this hearing and for your work on these issues for many years.

“I am pleased that the committee’s 2018 annual report addresses this important subject matter.

“This report is the culmination of a year’s worth of research and analysis, and includes input from, as the chairman said, from over 100 stakeholders, advocates, representatives of the courts and state officials. It is abundantly clear that something has to be done—as the title of the report suggests—to ‘ensure trust’ in our guardianship system.

“While most guardians act in the best interest of the individual they care for, far too often, we have heard horror stories, and that’s probably an understatement, of guardians who have abused, neglected or exploited a person subject to guardianship.

“As our report notes there are persistent and widespread problems with guardianship around the country. For instance, we found deficiencies in the oversight and monitoring of guardians. We have also found that courts sometimes remove more rights than necessary by failing to consider less restrictive alternatives to guardianship. And, importantly, it is universally agreed upon that there is also a lack of reliable, detailed data to inform policymakers.

“This is simply unacceptable. We have a sacred responsibility to ensure that no one loses a house or life savings or is needlessly deprived of their rights because a guardian abused their power.

“Today, I look forward to hearing about steps that states have taken to reform guardianship as well as the steps that must be taken to further improve the guardianship system.

“As Chairman Collins mentioned, we are releasing bipartisan legislation, which will help states improve guardianship oversight and data collection. We look forward to receiving feedback on the bill so that we can work together next Congress to pass legislation to improve guardianship all across our country.

“Guardianship is supposed to be protective. Too often, it has not been protective. We must do everything in our power to make sure we get it right all the time.”

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