**Overview Summarizing**

**Revisions to Missouri Guardianship Law, chapter 475, RSMO**

**Why Change the Current Law?**

* Current law enacted in 1983, many things have changed since then
* Now have various alternatives to guardianship and conservatorship that aren’t recognized by the law (i.e. Durable Power of Attorney, Heath Care Directives, special Needs Trusts, estate planning devices, Division of Assets provisions, etc.)
* Some terminology is out of date
* More persons being diagnosed with dementia
* Overuse of Public Administrators
* Little guidance for guardians
* Little “person-centered” planning required; greater emphasis on managing property and money and little focus on the person themselves

**What Will the New Legislation do?**

* Follows recommendations of the Missouri Working Interdisciplinary Network of Guardianship Stakeholders (MO-WINGS) and national standard-setting groups
* Changes major terminology to reflect current societal values, technology and medical advances, and new legal tools
* Emphasizes least restrictive alternatives for persons with limitations
* Clarifies when and whom appointments are made for guardians and conservators
* Combines person-centered standards of “best interest” and “substituted judgment” for guardians to make decisions
* Adds rights for the ward/protectee (person overseen by guardian or conservator)
* Sets new person-centered standards for conservator decisions
* Sets out methods for terminating guardianship or conservatorship and for restoring full or partial rights to the ward/protectee
* Facilitates processes for setting new policies and training judges, lawyers, Public Administrators, guardians, conservators, and consumers on best practices under the new provisions