

Incompetency & Adult Guardianship Proceedings for Clerks

May 10-12, 2022

Tuesday, May 10

- 9:00 a.m. **Check-in**
- 9:15 a.m. **Welcome and Introductions**
Meredith Smith, Associate Professor, UNC School of Government
- 9:45 a.m. **The Clerk's Role in Adult Guardianship Proceedings**
Meredith Smith, Associate Professor, UNC School of Government
- 11:00 a.m. **The Role of the Guardian Ad Litem Attorney**
Timothy Heinle, Civil Defender Educator, UNC School of Government
- 12:00 p.m. *Lunch at the School of Government*
- 1:00 p.m. **Screening the Case**
Meredith Smith, Associate Professor, UNC School of Government
- 2:15 p.m. *Break*
- 2:25 p.m. **Multidisciplinary Evaluations**
Meredith Smith, Associate Professor, UNC School of Government
Michelle Ball, Clerk of Superior Court, Johnston County
- 3:05 p.m. *Break*
- 3:15 p.m. **Interim Guardianship**
Meredith Smith, Associate Professor, UNC School of Government
- 3:45 p.m. **APS Records and the Role of DSS: The Case for Protection
Older Adults and Guardianship: North Carolina's Elder Protection Network**
Aimee Wall, Senior Associate Dean and Professor, UNC School of Government
- 4:45 p.m. *Adjourn*

Wednesday, May 11

- 9:00 a.m. **Recap and Discussion**
Meredith Smith, Associate Professor, UNC School of Government
- 9:10 a.m. **The Clerk's Authority to Order Access to Medical, Mental Health,
and Substance Abuse Records**
Mark Botts, Associate Professor, UNC School of Government
- 10:10 a.m. *Break*
- 10:20 a.m. **Analyzing Capacity and Appointing a Guardian**
Meredith Smith, Associate Professor, UNC School of Government
Tonya Leggett, Clerk of Superior Court, Martin County
- 12:00 p.m. *Lunch at the School of Government*
- 12:45 p.m. **Single Protective Arrangements and Single Transactions under G.S. 35A-1121**
Catherine Wilson, Attorney, McPherson, Rocamora, Nicholson, Wilson & Hinkle, PLLC
- 1:30 p.m. *Break*
- 1:45 p.m. **The Interplay Among Guardianship, Powers of Attorney, and Trusts**
Meredith Smith, Associate Professor, UNC School of Government
- 2:30 p.m. *Break*
- 2:45 p.m. **Mental Health and Substance Abuse Conditions that Impair Capacity**
Mark Botts, Associate Professor, UNC School of Government
Meredith Smith, Associate Professor, UNC School of Government
- 4:45 p.m. *Adjourn*

Thursday, May 12

- 9:00 a.m. **Recap and Discussion**
Meredith Smith, Associate Professor, UNC School of Government
- 9:15 a.m. **Identifying Supports and Avoiding Guardianship: The Case for Autonomy**
Jonathan Martinis, Senior Director for Law & Policy, The Burton Blatt Institute at Syracuse University
- 10:50 a.m. *Break*

- 11:00 a.m. **Presiding Over Cases with Unrepresented Litigants**
Beth Keever, Chief District Court Judge, retired
- 11:45 a.m. *Lunch at the School of Government*
- 12:30 p.m. **Receiving, Reviewing, and Compelling Status Reports**
Meredith Smith, Associate Professor, UNC School of Government
Alexandria Wilkens, Adult Services Program Coordinator, Division of Aging & Adult Services, DHHS
- 1:15 p.m. *Break*
- 1:30 p.m. **Restoration to Competency**
Meredith Smith, Associate Professor, UNC School of Government
- 2:15 p.m. *Break*
- 2:30 p.m. **Mock Hearing**
Meredith Smith, Associate Professor, UNC School of Government
- 4:00 p.m. Wrap up; Evaluations
- 4:15 p.m. *Adjourn*

Total Credit Hours: 17.00