

Admin.

October 14, 2010

Second Supplement to Memorandum 2010-39

**New Topics and Priorities: Additional Comments**

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The Commission has received two more communications urging it to study the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act. Those communications are attached as follows:

- Exhibit p.*
- Gary Passmore, Congress of California Seniors (10/7/10) .....1
- Jackie Wynne McGrath, Alzheimer’s Association (10/12/10) .....2

Respectfully submitted,

Barbara Gaal  
Chief Deputy Counsel

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Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission’s website ([www.clrc.ca.gov](http://www.clrc.ca.gov)). Other materials can be obtained by contacting the Commission’s staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting.



# CONGRESS OF CALIFORNIA SENIORS

1230 "N" STREET, SUITE 201, SACRAMENTO, CA 95814 • (916) 442-4474 • (800) 543-3352 • FAX (916) 442-1877 • www.seniors.org

October 7, 2010

Mr. Brian Hebert  
Executive Director  
State Law Revision Commission  
c/o UC Davis Law School  
400 Mrak Hall Drive  
Davis, CA 95616

Dear Mr. Hebert:

On behalf of the Congress of California Seniors and our many members statewide, I am writing to urge the California Law Revision Commission to include in its priorities for 2011 consideration of the Uniform Adult Guardianship and Protective Proceedings Act (UAGPPJA).

The UAGPPJA was developed by the Uniform Law Commission in response to a number of factors which complicate adult guardianship. First, people are living longer and adult guardianships are become more common. Second, people and their families are more mobile than ever and move between states with widely different adult guardianship procedures. Third, as more people age into advanced years, they need more complex, coordinated care and there must be continuity of that care.

The Uniform Law Commission proposal seeks to overcome the challenges of having dozens of different adult guardianship procedures among the states.

Thank you for your consideration of this request and we look forward to working with you on this important reform.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gary Passmore', is written over the typed name.

Gary Passmore, Director

Cc: Diane Boyer

## EX 1

The Congress of California Seniors is a broad-based coalition of senior centers and residential facilities, women's clubs, tenant and homeowner associations, faith-based organizations, community service groups, trade union retirees, retired federal/state/local government and public school employee organizations, and other advocacy groups.

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October 12, 2010

California Law Revision Commission  
c/o Brian Hebert, Executive Director  
UC Davis Law School  
400 Mrak Hall Drive  
Davis, CA 95616

**RE: 2011 Priorities: Urge you to include study of the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act (UAGPPJA)**

Dear Mr. Hebert:

On behalf of the more than 588,000 California families living with Alzheimer's disease and related dementias, I am writing to urge the California Law Revision Commission to include a study of UAGPPJA in your 2011 priorities.

To date, twenty states have passed UAGPPJA legislation and another twenty-three have indicated their intention to introduce legislation in 2011. On October 9<sup>th</sup> the California Council of the Alzheimer's Association voted to sponsor UAGPPJA legislation during the next Legislative session.

While those living with Alzheimer's are not the only ones who will benefit from enactment of UAGPPJA, the dramatic increase we will see in Alzheimer's over the next two decades is compelling alone to enact this legislation in California. Due to our ever-increasing longevity, Alzheimer's, for which age is still the greatest risk factor, will double in California by 2030 and triple by 2050. As medical advances are enabling us to survive cancer, heart disease and other previously fatal diseases, people are living long enough to develop Alzheimer's and to live through the advanced stages of Alzheimer's. This is borne out by the fact that Alzheimer's has now climbed to the 6<sup>th</sup> leading cause of death in California.

Scientific advances are also enabling more people to be diagnosed in the early stage of Alzheimer's. As this trend continues, the Alzheimer's Association is actively encouraging families to do advance planning for end-of-life care. However, far too often families do not take advantage of an early diagnosis to do this planning and so the likelihood continues that they may need the assistance of a guardian.

California Law Revision Commission  
October 12, 2010  
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Two circumstances further compel the adoption of UAGPPJA: long-distance family caregiving and interstate health markets, which are local medical centers accessed by persons from multiple states. Twenty percent of family caregivers reside in a different state than the person they are caring for. We believe adoption of UAGPPJA will help ensure continuity of care for people living with Alzheimer's and other dementias by minimizing delays in resolving guardianship jurisdiction where families are dispersed across multiple states or care is provided in a medical center in another state.

Thank you for considering our views when you set your 2011 priorities.

Sincerely,

Jackie Wynne McGrath  
State Public Policy Director