

Practice Standards

December, 2012

Section XVIII, Representation of Respondent in Guardianship/Conservatorship Proceeding

XVIII. REPRESENTATION OF A RESPONDENT IN A GUARDIANSHIP OR CONSERVATORSHIP PROCEEDING

GOALS:

- A. To advocate zealously and professionally for the respondent who is the subject of a guardianship or conservatorship proceeding.**
- B. To abide by mandatory and specific standards of representation for public defenders as attorney for the respondent in a guardianship or conservatorship proceeding.**
- C. To serve the stated interests of the respondent, to be independent from the court and other participants in the litigation, including the respondent's guardian, if any, and to be unprejudiced and uncompromised in representing the respondent.**
- D. To exercise independent and professional judgment in carrying out the duties assigned by the court and to participate fully in the case on behalf of the respondent.**
- E. Ensure that a guardianship, if ordered, encourages the development of maximum self-reliance and independence of the respondent, and is ordered only to the extent that the respondent's actual mental and/or physical limitations require.**