



# GUARDIANSHIP ACCESS NEW YORK

## Good guardianship for all who need it, regardless of financial circumstance.

In 2022, nonprofit guardianship providers and elder and disability justice advocates across New York formed **Guardianship Access New York (GANY)**—a coalition committed to improving the guardianship system by ensuring equal access to services statewide. GANY elevates the voices of clients and community members, highlights gaps in the guardianship system, and advocates for increased resources in the sector. We believe that every individual who needs one should receive a high-quality guardian for as long as necessary, regardless of their ability to pay.

## CONTEXT

Article 81 New York State Mental Hygiene Law provides that, where appropriate, the court shall appoint a guardian to protect and promote the interests of persons with limitations that affect their ability to make decisions for themselves. This system relies heavily on the unpaid work of family members or friends willing to serve as guardian for a loved one and the personal wealth of those in need of a guardian to pay for their own services.

Across the country and especially here in New York City, more older adults are expected to experience cognitive decline and require increased levels of care. In fact, studies have shown that between 17 percent and 22 percent of people 65 or older have mild cognitive impairments with rates increasing with age. In addition, older adults are increasingly aging alone with increasingly limited financial resources.

While health and wealth are two dominating issues impacting the lives of older adults, other things impact their ability to receive equitable and unbiased treatment. Race, sexual orientation, gender, and other intersecting identities may increase the likelihood of guardianship.

## ISSUES

New York State does not invest in guardianship services at a level that can meet current or future demand.

- New Yorkers are increasingly aging alone and with fewer financial resources than ever before
- A patchwork of nonprofit providers and pro-bono attorneys offering services is not an option is stretched to capacity
- Judges across the state are struggling to find guardians to appoint, leaving individuals without critical supports

## OUR SOLUTION

Invest \$15 million in a Statewide Network of Nonprofit Guardians (SING).

Nonprofits are exceptionally fit to do this work. We are steeped in the issues, resources, and cultures of our communities. We are accountable to our missions and motivated by the health and wellness of our clients, rather than profit.

With adequate funding, nonprofits are ready to tackle this problem now. We can increase our caseloads while helping fellow nonprofits start guardianship programs in regions where they are most needed.

## EXPECTED OUTCOMES

- Every New Yorker in need of a guardian has access to high-quality services, regardless of their financial or social circumstance
- Judges can swiftly and confidently appoint guardians from among a qualified workforce
- New York State benefits from significant Medicaid cost-savings, as nonprofit guardians prevent unnecessary institutionalizations
- Local economies benefit, as nonprofit guardians work to secure comprehensive public benefits that enable economic participation

Unlike other responses to New York's guardianship crisis, ours is rooted in decades of practical experience and a deep understanding of what it takes to be the guardian of another person.

## MEMBERS AND REGIONS

Association on Aging in New York – Statewide

Center for Elder Law and Justice (CELJ) – Erie, Niagara, Cattaraugus, and Chautauqua

EAC Network – New York City and Long Island

Guardianship Corp. – Long Island

Lifespan – Greater Rochester

Project Guardianship – New York City

Hon. Arthur M. Diamond, JSC (retired)

For more information or to get involved contact [advocacy@projectguardianship.org](mailto:advocacy@projectguardianship.org).



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