Trust
Alaska Mental Health
Trust Authority

3745 Community Park Loop, Suite 200
Anchorage, AK 99508
Tel 907.269.7960
www.mhtrust.org

March 3, 2026

Senator Matt Claman, Chair
Alaska Senate Judiciary Committee
Sent via email

RE Support for SB 190 Uniform Act: Guardianship/Conservatorship

Dear Chair Claman,

The Alaska Mental Health Trust Authority supports SB 190 to increase consistency in Alaska's guardianship and conservatorship system including less restrictive options, ensure thorough monitoring of guardianship orders especially in financial matters, and increase awareness and access to support for informal guardians caring for a loved one. We are optimistic that this project will vastly improve the oversight necessary to avoid unnecessary guardianship and both prevent and address abuse.

The Trust is a state corporation that administers the Alaska Mental Health Trust, a perpetual public trust, to improve the lives of beneficiaries. For more than 30 years, the Trust has supported programs, services and policies that positively impact the lives of Trust beneficiaries, those Alaskans who experience a mental illness, substance abuse related disorder, traumatic brain injury, Alzheimer's disease and related dementia or intellectual and developmental disabilities. The Trust operates much like a private foundation, using its resources to ensure that Alaska has a comprehensive integrated mental health program.

The Trust has been and is currently a member of the Alaska Working Interdisciplinary Networks of Guardianship Stakeholders (WINGS). WINGS has worked for over a decade to analyze guardianship best practices, compare them to the existing system, and ultimately recommend the adoption of the changes outlined by SB 190. The Trust has partnered with the Alaska Court System, Alaska State Association for Guardianship and Advocacy, the Office of Public Advocacy, Adult Protective Services, and local law enforcement to ensure that Trust beneficiaries receive high quality guardianship and conservatorship services when needed and are diverted to less restrictive options when possible. SB 190 offers several key improvements to the guardianship including simplifying guardianship, conservatorship, and minor guardianship processes - making them easier to understand for families and legal professionals, strengthening protections for adults in guardianship proceedings, and allowing courts to create flexible protective arrangements tailored to the individual's needs.

In closing, SB 190 introduces essential changes to modernize and improve Alaska's guardianship and conservatorship statutes, ensuring better protection of the rights and dignity of individuals needing a guardian or a conservator. We very much appreciate your consideration of this important legislation.

Sincerely,

Mary L Wilson MD.

Mary Wilson, MD
Chief Executive Officer

Cc Senator Jesse Kiehl

Uniform Law Commission

NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS

Benjamin Orzeske
Chief Counsel
111 N. Wabash Ave. Suite 1010
Chicago, IL 60602
(312) 450-6621 direct
borzeske@uniformlaws.org
www.uniformlaws.org

March 2, 2026

Senator Jesse Kiehl
Alaska State Capitol, Rm 514
Juneau, AK 99801

Re: SB 190 Uniform Act: Guardianship/Conservatorship

Dear Senator Kiehl,

On behalf of the Uniform Law Commission, thank you for your sponsorship of Senate Bill 190 to adopt a version of the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act (UGCOPAA).

UGCOPAA was drafted over a two-year period by a drafting committee of guardianship experts and stakeholders. Committee members included judges, attorneys, guardians, and advocates for seniors, minors, and the disabled community. The committee's policy decisions were then drafted into statutory text by Professor Nina Kohn of Syracuse University School of Law, a national expert on guardianship law. The act went through several iterations for public comments and was finally approved by the Uniform Law Commission at its annual meeting in July 2017. Since then, UGCOPAA has been enacted in three states: Kansas, Maine, and Washington and is pending in Idaho, as well as Alaska. Several other states are reviewing the act for possible introduction in a future legislative session.

Simply put, UGCOPAA is the gold-standard for state guardianship law. It was recommended for adoption in every state by the U.S. Senate Special Committee on Aging in 2019, and by the Fourth National Summit on Guardianship in 2021. It has gained support from AARP, the National Disability Rights Network, the Arc, and other advocates because of its strong protections for the rights of individuals who are subject to guardianship, and its emphasis on individualized guardianship plans that consider the needs and abilities of each individual respondent. In Alaska, a WINGS group (Working Interdisciplinary Network of Guardianship Supporters) comprised of local advocates has carefully studied UGCOPAA, made certain changes to incorporate Alaska court procedures, and produced the version that was introduced as SB 190.

The Uniform Law Commission is pleased to support this effort to adopt UGCOPAA in Alaska appreciates your advocacy for this important reform to Alaska's guardianship law.

Best regards,

Benjamin Orzeske

The ULC is a nonprofit formed in 1892 to create nonpartisan state legislation. Over 350 volunteer commissioners—lawyers, judges, law professors, legislative staff, and others—work together to draft laws ranging from the Uniform Commercial Code to acts on property, trusts and estates, family law, criminal law and other areas where uniformity of state law is desirable.

Shinn Services, LLC
Sheila J. Shinn, M.Ed., MPH, NCG
Gerontologist, Private Professional Guardian & Conservator, Consultant
2521 E. Mountain Village Dr., Ste B, Box 830, Wasilla, AK 99654
shinn.services@gmail.com, **907-830-8454**

February 26, 2026

Honorable Members of the Alaska State Legislature
Attn: Senator Kiehl
Alaska State Capitol
Juneau, Alaska 99801

RE: Support for SB 190 Uniform Act: Guardianship/Conservatorship

Dear Members of the Alaska State Legislature,

I am writing on behalf of myself as a licensed and certified private professional guardian and conservator in the State of Alaska. I support Senate Bill 190.

Prior to this role, I was a Court Visitor for guardianship and conservatorship cases, so I am very familiar with the work done over the years to reach the place of revising the statutes that govern the work I do. I have read this proposed bill and believe it is in our state's best interests to adopt all revisions.

As a Gerontologist, I believe there will be continued increases in older adults experiencing Alzheimer's or related dementias requiring guardianship for their protection from exploitation and harm. Although this bill revises all guardianship statutes, I am especially interested in the following points:

Key Improvements to SB 190

> ***Increased Protections for Adults****: The bill strengthens protections for adults in guardianship proceedings with more robust petitions, notices, and reports. Guardians and conservators are required to submit annual reports for continued oversight by the courts. It expands what must be included in a guardianship plan to ensure that the individual's specific needs are being addressed, and the guardian is fulfilling their duties. It ensures that plans evolve as an individual and their needs change over time. The bill also changes "temporary" guardianships to "emergency" to better reflect the need for urgency without compromising due process and limits the duration to 60 days.*

As a Court Visitor, I worked many cases where the guardian or conservator was not fulfilling their duties in the role. I have worked on cases where the guardian was doing harm. I have worked on cases where the guardian used the protected person's money

for their own gain. Without stronger language in our statutes, these kinds of crimes are easy to commit with little to no recourse.

> ***Less Restrictive Alternatives:*** *The bill allows courts to create flexible protective arrangements tailored to the individual's needs, such as supported decision-making agreements, rather than assuming a full guardianship is always required.*

This is a critical part of SB 190, in my opinion. Once a person is placed under court protection, it can be extremely difficult and costly to get out of it. I have experienced older adults with cognitive diseases placed in full guardianship simply give up on life. They may need support for daily function, but they are also keenly aware of the independence that was taken from them. I believe all options should be explored before the removal of someone's civil rights.

> ***Combatting Abuse and Exploitation:*** *Enhances safeguards against abuse and exploitation by expanding notification requirements for guardianship appointments, prohibiting guardians from restricting communication with family and friends without court authorization.*

In the years of working in this field, I can attest to how easy it is to exploit the vulnerable members of our community. And there needs to be safeguards for protected people, even if the harm is from their guardians and conservators.

In closing, SB 190 introduces essential changes to modernize and improve Alaska's guardianship and conservatorship statutes, ensuring better protection of the rights and dignity of individuals needing a guardian or a conservator. I strongly encourage the Legislature to pass SB 190 to support these crucial updates.

Thank you for your support on this important issue.

Sincerely,

Sheila J Shinn, M.Ed., MPH, NCG

2/26/26

Date

213 Third Street
Juneau, Alaska 99801
Phone (907)-586-8228
Fax (907)-586-8226
www.reachak.org

REACH, Inc.
2/24/2026

Honorable Members of the Alaska State Legislature
Attn: Senator Kiehl
Alaska State Capitol
Juneau, Alaska 99801

RE: Support for SB 190 Uniform Act: Guardianship/Conservatorship

Dear Members of the Alaska State Legislature,

I am writing on behalf of REACH, Inc. to express our strong support for Senate Bill 190.

REACH, Inc. was established in 1978 and provides services and supports to Alaskans experiencing intellectual and developmental disabilities. Our mission is to honor and respect the people we serve by promoting choice and well-being through advocacy and services. At the heart of our work is the belief that every person deserves dignity, autonomy, and the opportunity to direct their own life to the greatest extent possible. SB 190 aligns directly with our mission by modernizing guardianship statutes in a way that promotes choice, strengthens oversight, and reinforces person-centered practices.

Through our work across Southeast Alaska, we regularly support individuals who are under guardianship or conservatorship. Our experience has shown that, too often, guardianship can function more like a dictatorship than a support. This is especially true when a guardian is a parent or sibling who may unintentionally wield their authority in a way that removes the individual receiving services from meaningful participation in decisions about their own life. We have seen situations where individuals are excluded from conversations and decisions are made without their input.

In a state where we share a collective vision and frequently champion "person-centered" practices, the current implementation of guardianship does not always reflect those values. While some individuals may not have the capacity to independently make complex medical or financial decisions, many are fully capable of making everyday decisions, particularly when provided with appropriate supports. Rather than building skills in self-advocacy and supported decision-making, individuals are sometimes told to sit down, remain quiet, and allow others to speak for them. This undermines both their dignity and their development.

For these reasons, REACH, Inc. strongly supports the following key improvements within SB 190:

Increased Protections for Adults:
The bill strengthens protections for adults in guardianship proceedings through more robust

REACH INCORPORATED
213 Third Street
Juneau, Alaska 99801
Phone (907)-586-8228
Fax (907)-586-8226
www.reachak.org

petitions, clearer notice requirements, and enhanced reporting. The requirement for annual reports and expanded guardianship plans ensures meaningful court oversight and greater accountability. These provisions help ensure that guardianship remains responsive to the individual's evolving needs and does not become a permanent, unchecked arrangement. The shift from "temporary" to "emergency" guardianships, with a 60-day limit, appropriately balances urgency with due process.

Less Restrictive Alternatives:
We are particularly supportive of the bill's emphasis on less restrictive alternatives, including supported decision-making agreements and other flexible protective arrangements. Guardianship should not be the default solution when a more tailored approach can preserve autonomy while still providing necessary protections. This shift better reflects modern disability policy and best practices, empowering individuals to remain active participants in their own lives.

SB 190 introduces essential changes to modernize and improve Alaska's guardianship and conservatorship statutes, ensuring better protection of the rights and dignity of individuals who need support. REACH, Inc. strongly encourages the Legislature to pass SB 190 to support these crucial updates and move Alaska toward a more person-centered and protective guardianship system.

Thank you for your leadership and consideration on this important issue.

Sincerely,

Naomi Studevan
Executive Director
REACH, Inc.

AGEnet
Advocating for
Older Alaskans

February 23, 2026

Senator Jesse Kiehl
Alaska State Senate
State Capitol, Room 514
Juneau, Alaska 99801-1182

Dear Senator Kiehl,

On behalf of the members of AGEnet, thank you for introducing Senate Bill 190 relating to guardianships, conservatorships, and other protective arrangements. Guardianships and conservatorships are vital tools to protect Alaskans unable to meet their own basic needs for health, safety, or self-care. These legal arrangements assign responsibility for managing personal and/or financial affairs to someone else.

Alaska's current guardianship laws are strong, but they're rooted in model legislation from the 1980s. In the decades since, the Uniform Law Commission worked with stakeholders to develop a new model act that does a better job of emphasizing individual rights and helping prevent abuse of the trust placed in guardians and conservators.

Senate Bill 190 moves Alaska's guardianship and conservatorship laws to the new Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act, updating standards for both minors and adults. It creates a new category—other protective arrangements—so individuals get only the support they need, in the least restrictive way.

Because guardianships and conservatorships limit a person's autonomy, our laws must prioritize an individual's rights, dignity, and well-being. We respectfully urge your colleagues to support SB 190 and look forward to continued collaboration to strengthen Alaska's senior services system.

Thank you for your work to protect Alaska's vulnerable citizens.

Sincerely,

Marianne Mills

Marianne Mills, President

ALASKA ASSOCIATION ON
DEVELOPMENTAL DISABILITIES
PO Box 20874
Juneau, Alaska 99802

To facilitate a united provider voice for best practices, advocacy, partnerships and networking.

February 16, 2026

Honorable Members of the Alaska State Legislature
Attn: Senator Kiehl
Alaska State Capitol
Juneau, Alaska 99801

RE Support for SB 190 Uniform Act: Guardianship/Conservatorship

Dear Members of the Alaska State Legislature,

I am writing on behalf of the Alaska Association on Developmental Disabilities (AADD) to express our support for Senate Bill 190. AADD is a statewide membership organizations with over 100 members that provide home and community-based services to children and adults with developmental disabilities. AADD's Vision (inspired by Alaska's Shared Vision) is that Alaskans with disabilities are living the lives they choose with support from a robust, flexible person-directed system. An essential component of a person-directed system is policies and regulations that align with this principle.

AADD applauds your leadership and commitment to modernizing Alaska's guardianship statute via SB 190. We are supportive of all the recommended revisions that are an outcome of many hours of work by the WINGS taskforce. We are particularly excited about establishing supported decision-making options in statute, providing a person-centered alternative to full guardianship.

AADD strongly encourages the Legislature to pass SB 190 to support these crucial updates. Please let us know how we can assist in this effort.

Sincerely,

Kim Champney, MSW
Executive Director

From: Michele Girault
To: Sen. Jesse Kiehl
Subject: Support for SB190
Date: Tuesday, February 3, 2026 3:14:27 PM

Dear Senator Kiehl,

I am writing to express strong support for SB 190, legislation that modernizes Alaska's guardianship statutes to better reflect current best practices, protect individual rights, and strengthen the continuum of decision-making supports available to Alaskans.

Alaska's existing guardianship laws were written for a different era. Since then, national standards, disability rights frameworks, and person-centered practices have evolved significantly. SB 190 brings our statutes into alignment with these modern approaches by:

- Clarifying and updating statutory language to reflect contemporary understanding of capacity, autonomy, and least-restrictive alternatives.
- Strengthening due-process protections for individuals who may be subject to guardianship, ensuring that their rights, preferences, and voices remain central.
- Encouraging supported decision-making and other less-restrictive options, which help individuals maintain independence while receiving the assistance they need.
- Improving consistency and clarity for families, service providers, courts, and guardians, reducing confusion and promoting better outcomes.

These updates are not merely technical. They have real-world impact for Alaskans with disabilities, elders, and others who rely on a system that must balance protection with self-determination. SB 190 helps ensure that guardianship is used appropriately, transparently, and only when necessary — while expanding the tools available to support individuals in making their own decisions whenever possible.

Modernizing this statute also strengthens Alaska's alignment with national best practices and federal expectations, reducing risk for the state and improving the quality of services across our communities.

For families, service providers, and the individuals at the heart of these decisions, SB 190 represents clarity, dignity, and a more humane and effective system. I urge the Legislature to advance this bill and ensure that Alaska's guardianship framework reflects the values of respect, autonomy, and responsible stewardship.

I am also the Board Chairman for the Key Coalition of Alaska, and the passage of SB190 is one of our priorities for this session.

Thank you for your consideration and for your commitment to improving the lives of Alaskans.

Sincerely,

Michele Girault
Executive Director
Hope Community Resources, Inc.
907-433-4705

Alaskans share a Vision of a flexible system in which each person directs their own supports, based on their strengths and abilities, toward a meaningful life in their home, their job and their community. Our Vision includes supported families, professional staff and services available throughout the state now and into the future.

This message, including any attachments, is intended solely for the use of the person or entity to which it is addressed and may contain CONFIDENTIAL and/or privileged information that is protected by federal and state regulation.
If the reader of this email is not the intended recipient or his or her agent, the reader is notified that any dissemination, distribution or copying of this email is prohibited.
If you think you have received this email in error, please advise the sender by reply email and delete this email immediately.

Visit us at http://www.hopealaska.org or on our Facebook page.

Helping Alaskans with Differing Abilities Experience Hope since 1968.

3601 C Street #1420 | Anchorage, AK 99503
1-866-227-7447 | aarp.org/AK | alaska@aarp.org
facebook.com/aarpak | twitter: @aarpalaska

February 2, 2026

Honorable Members of the Alaska State Legislature
Attn: Senator Kiehl
Alaska State Capitol
Juneau, Alaska 99801

RE Sent via email: Support for SB 190 Uniform Act: Guardianship/Conservatorship

Dear Senator Kiehl,

On behalf of its 76,000 members in Alaska and all older Alaskans, AARP Alaska supports SB 190 to modernize the state's guardianship and conservatorship statutes, ensuring that individuals who need that protection can continue to live out AARP's vision of a society that allows people to age with dignity and realize their dreams.

Alaska's current guardianship laws, based on the Uniform Probate Code, were last substantively updated in the mid-1980s. The world has changed significantly in the past 40 years. Advances in medicine allow people to live longer. Our understanding of issues related to human decision-making capacity has evolved. We now recognize that the capacity to make decisions is not a yes/no decision but exists on a spectrum and can vary based on a number of factors.

AARP is partner in Alaska's of WINGS (Working Interdisciplinary Network of Guardianship Stakeholders) which is led by the American Bar Association in each state. This national initiative is designed to help courts and local organizations work together to improve guardianship policies and practices. In Alaska, WINGS has been active since 2017, significantly enhancing our guardianship and conservatorship system. Our goal is to improve the effectiveness of Alaska's system and strengthen oversight and enforcement by updating forms, guardian trainings, probate rules, court trainings, and other parts of the system. Throughout this process, WINGS has ensured that individuals under guardianship maintain their autonomy, basic rights, and dignity.

The final step is to modernize Alaska's guardianship and conservator statutes. Since 2018, two committees of experts and advocates have been meticulously reviewing the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act (UGCOPAA) and comparing it to Alaska's statutes. Over several years, we came up

with a list of recommendations to modernize Alaska's statutes which are contained in SB 190. AARP Alaska strongly supports SB 190 including the following key updates:

Clarity and Transparency: SB 190 simplifies guardianship, conservatorship, and minor guardianship processes, making them easier to understand for families and legal professionals. It also ensures transparency by requiring the disclosure of criminal and credit histories for potential guardians and conservators.

Updated Terminology: Several terms have been updated in SB 190 to reflect societal changes regarding recognizing the dignity of all people. For example, the terms "ward" and "incapacitated person," "disabled person," are replaced with a more respectful and empowering terms such as "individual under guardianship" or "respondent."

Increased Protections for Adults: SB 190 strengthens protections for adults in guardianship proceedings with more robust petitions, notices, and reports. Guardians and conservators are required to submit annual reports for continued oversight by the courts. It expands what must be included in a guardianship plan to ensure that the individual's specific needs are being addressed, and the guardian is fulfilling their duties. It ensures that plans evolve as an individual and their needs change over time. The bill also changes "temporary" guardianships to "emergency" to better reflect the need for urgency without compromising due process and limits the duration to 60 days.

Conservatorship Changes: SB 190 ends the practice of putting property titles in the conservator's name, ensuring the individual keeps their property while still receiving the necessary help and supervision to manage it.

Less Restrictive Alternatives: Additionally, we have seen the limitations of guardianship. Each year, the Office of Public Advocacy faces an overwhelming number of appointments to serve as guardians and conservators for individuals. Guardianship should not be the default response when someone struggles to meet their needs. SB 190 allows courts to create flexible protective arrangements tailored to the individual's needs, such as supported decision-making agreements, rather than assuming a full guardianship is always required.

Combatting Abuse and Exploitation: SB 190 enhances safeguards against abuse and exploitation by expanding notification requirements for guardianship appointments, prohibiting guardians from restricting communication with family and friends without court authorization.

SB 190 introduces essential changes to modernize and improve Alaska's guardianship and conservatorship statutes, ensuring better protection of the rights and dignity of individuals needing a guardian or a conservator. AARP Alaska strongly encourages the Legislature to pass SB 190 to support these crucial updates.

Thank you for your support on this important issue.

Respectfully Submitted,

Teresa Holt
State Director
AARP Alaska

Marge Stoneking
Advocacy Assistant State Director
AARP Alaska

MCOA

MAT-SU COUNCIL ON AGING

Teresa Holt
AARP Alaska
3601 C Street, Suite 1420
Anchorage, AK 99501

January 29, 2026

The Mat-Su Council on Aging supports SB 190. This bill modernizes Alaska Guardianship and Conservatorship statutes to align with UGCOPAA (Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act), a model act from the uniform law commission.

Below are the key improvements SB 190 makes to Alaska's statutes:
Clarity and Transparency: The bill simplifies guardianship, conservatorship, and minor guardianship processes, making them easier to understand for families and legal professionals. It also ensures transparency by requiring the disclosure of criminal and credit histories for potential guardians and conservators.

Updated Terminology: Several terms have been updated to reflect societal changes regarding recognizing the dignity of all people. For example, the terms "ward" and "incapacitated person," "disabled person," are replaced with a more respectful and empowering terms such as "individual under guardianship" or "respondent."

Enhanced Oversight for Minor Guardianships: SB 190 requires all minor guardianship appointments, including testamentary guardians, receive Court oversight and annual reporting. This ensures minor's best interests are continuously monitored by the Court. Minors now have more rights starting at age 12, including the ability to request court visitors and their own attorney.

Increased Protections for Adults: The bill strengthens protections for adults in guardianship proceedings with more robust petitions, notices, and reports. Guardians and conservators are required to submit annual reports for continued oversight by the courts.

Conservatorship Changes: The bill ends the practice of putting property titles in the conservator's name, ensuring the individual keeps their property while still receiving the necessary help and supervision.

Less Restrictive Alternatives: The bill allows courts to create flexible protective arrangements tailored to the individual's needs, such as supported decision-making agreements, rather than assuming a full guardianship is always required.

Combatting Abuse and Exploitation: Enhances safeguards against abuse and exploitation by expanding notification requirements for guardianship appointments, prohibiting guardians from restricting communication with family and friends without court authorization.

With deep gratitude,

Brenda Shelden

Brenda Shelden
Executive Director, Mat-Su Council on Aging
brenda@mcoaging.com
(907)917-4600

From:	Lange, Martin P (DOH)
To:	Sen. Jesse Kiehl
Cc:	Holt, Teresa; Sivertsen, Bob; Radbod, Yasmin A (DOH)
Subject:	SB 190 Letter of support from the Alaska Commission on Aging
Date:	Wednesday, January 28, 2026 1:08:00 PM

Dear Senator Kiehl,

On behalf of the Alaska Commission on Aging, I am writing to express our strong support for SB 190. This bill provides a much-needed modernization of Alaska's guardianship and conservatorship statutes, anchored in the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act (UGCOPAA).

We appreciate your leadership in sponsoring SB 190 and putting forth a guardianship framework that balances protection with personal freedom. The Alaska Commission on Aging believes this legislation significantly advances the well-being of older adults and those with diminished capacity.

Please accept this letter as our formal letter of support. Thank you for your continued work on behalf of Alaskan seniors.

Sincerely,
Marty Lange

Executive Director - Alaska Commission on Aging
907-465-4793 (office)| aging.alaska.gov | Follow ACoA on Facebook
Listen to our podcast wisdom.alaska.gov

January 28th, 2026

Honorable Members of the Alaska State Legislature
Attn: Senator Kiehl
Alaska State Capitol
Juneau, Alaska 99801

RE: Support for SB 190 Uniform Act: Guardianship/Conservatorship

Dear Members of the Alaska State Legislature,

My name is David Monroe. I am the Executive Director of the Disability Law Center of Alaska, and I am writing to you on behalf of our agency to express support for Senate Bill 190.

The Disability Law Center of Alaska (DLC) is an independent non-profit law firm providing legal advocacy for people with disabilities throughout Alaska. Our mission is to provide protection and advocacy for Alaskans with disabilities through legal representation, education, and strategic advocacy to ensure their civil rights are protected. In 1977, DLC was designated by the Governor of our state as the official (and only) federally funded, state recognized Protection and Advocacy agency for the state of Alaska.

Our agency believes that the passage of SB 190 Uniform Act, related to the updating of Alaska laws related to guardianship and conservatorship will help lead to increased clarity and transparency in both the judicial oversight process and practical management of guardianships and conservatorships in Alaska. The bill makes important updates for activities related to the oversight and appropriate implementation of guardianship, conservatorship, and minor guardianship processes, making them easier to understand for all parties concerned, including families and legal professionals. The passage of this Act will also help ensure more transparency in the guardianship/conservator appointment process by requiring the disclosure of criminal and credit histories for potential guardians and conservators.

In the Act, a number of different definitional terms have been updated to reflect important societal changes that are critical to the recognition of principles which support the dignity of all people. By way of example: the terms "ward" and “incapacitated person,” “disabled person,” are

replaced with a more respectful and empowering terms such as “individual under guardianship” or “respondent.”

SB 190 also includes meaningful safeguards related to minor guardianship appointments, including testamentary guardians, increased court oversight, and annual reporting requirements. These safeguards ensure that the Court continuously monitors to protect a minor’s best interests. Minors now have more rights starting at age 12, including the ability to request court visitors and their own attorney.

In addition, and we believe most importantly, the bill also strengthens protections for adults in guardianship proceedings by creating more robust processes and safeguards related to guardianship petitions, notices, and reports. Through the Act, guardians and conservators are required to submit more detailed and relevant annual reports to help support appropriate continued oversight by the Courts. The Act expands requirements that must be addressed as part of a guardianship plan to ensure that the individual’s specific needs are being addressed, and the guardian is fulfilling their duties. It also ensures that plans evolve as an individual and their needs change over time. The bill also changes “temporary” guardianships to “emergency” to better reflect the need for urgency without compromising due process and limits the duration to 60 days.

The passage of this Act will allow the courts to create flexible protective arrangements tailored to the individual’s needs, such as supported decision-making agreements, rather than assuming a full guardianship is always required. It also enhances safeguards against abuse and exploitation by expanding notification requirements for guardianship appointments, prohibiting guardians from restricting communication with family and friends without court authorization.

The Disability Law Center has worked with individuals with disabilities for fifty years now, and our agency history and collective staff experience has led us to develop a deeper understanding of the needs of individuals with disabilities in Alaska. SB 190 introduces essential changes to modernize and improve Alaska’s guardianship and conservatorship statutes, ensuring better protection of the rights and dignity of individuals needing a guardian or a conservator. Our agency wants to strongly encourages the Legislature to pass SB 190 to support these crucial updates.

Thank you for your support on this critical issue.

Sincerely,

David Monroe
Executive Director
Disability Law Center of Alaska
dmonroe@dlcak.org
(907) 891-4162

Statewide Independent Living Council of Alaska
104 S Binkley, Suite B
Soldotna, AK 99669
907-263-2011

January 14, 2026

Honorable Members of the Alaska State Legislature
Alaska State Capitol
Juneau, AK 99801

RE: SUPPORT FOR SB 190 - UNIFORM ACT: GUARDIANSHIP/CONSERVATORSHIP

Dear Members of the Alaska State Legislature,

I am writing on behalf of the Statewide Independent Living Council of Alaska (SILC) to express our full support for Senate Bill 190. SILC extends our deepest gratitude to Senator Jesse Kiehl for introducing this bill before the 34th Legislature. His sponsor statement reflects his unwavering commitment protecting the autonomy of Alaskans with disabilities by prioritizing "an individual's rights, dignity, and well-being" which is the core principle of the Independent Living philosophy.

The federal statute creating Statewide Independent Living Councils (SILCs) is established under the Rehabilitation Act of 1973, as amended (29 USC 796d). The Alaska SILC was established by Executive Order in 1993, by statute in 1995, currently AS 44.29.700 as of 2022 reflecting changes made in the Alaska Administrative Code. Within our statutory duties and authorities laid out these statutes, SILC promotes a philosophy of consumer control, peer support, self-help, self-determination, equal access, and individual and systems advocacy. We work with our partners to increase accessibility and the integration of individuals with disabilities into the mainstream of society.

The provisions in SB190 align with that mission by resolving issues and providing clarification within Alaska's current guardianship and conservatorship laws and offering greater protection for Alaskans under guardianship.

SB 190 addresses long-standing gaps in oversight by expanding notification and communication requirements, improving monitoring mechanisms, and clarifying responsibilities for guardians and conservators. These provisions help ensure that individuals under guardianship—particularly minors and adults with limited capacity—are better protected from situations that statistically heighten the likelihood of abuse, neglect, or exploitation.

The bill also modernizes statutory language to align with best practices nationwide, supporting a system that prioritizes the least restrictive alternatives such as partial guardianships and supported decision-making agreements, and encourages family involvement, informed decision-making, and meaningful oversight. These reforms will help courts, guardians, and

service providers work more effectively and transparently, ultimately improving outcomes for the people who rely on these systems the most.

SILC cares deeply about the safety, dignity, and autonomy of vulnerable Alaskans. We believe SB 190 represents a responsible and forward-looking step toward a more accountable guardianship framework. SILC respectfully urges the Legislature to advance this bill.

Thank you for your consideration and for your commitment to strengthening protections for Alaskans.

Sincerely,

Michael Christian

Michael Christian
Executive Director

Amanda S Coelho
Assistant Executive Director

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Health
SENIOR AND DISABILITY SERVICES
Governor's Council on Disabilities
and Special Education

550 W 7th Ave. Suite 1220
Anchorage, Alaska 99501
Main: 907.269.8990
Toll Free: 1.888.269.8990
Fax: 907.269.8995

May 14, 2025

Honorable Members of the Alaska State Legislature
Alaska State Capitol
Juneau, AK 99801

RE: SUPPORT FOR SB 190 - UNIFORM ACT: GUARDIANSHIP/CONSERVATORSHIP

Dear Members of the Alaska State Legislature,

I am writing on behalf of the Governor's Council on Disabilities and Special Education to express strong support for Senate Bill 190. The Council thanks Senator Jesse Kiehl for his dedication and commitment to this important matter and introducing this bill before the 34th Legislature on May 7th, 2025. This bill will make vital updates to Alaska's guardianship and conservatorship laws, particularly benefiting individuals with developmental disabilities by providing more clarity, fairness, and modern protections.

The Governor's Council on Disabilities and Special Education (GCDSE or the Council) fills a variety of federal and state roles, including serving as the State Council on Developmental Disabilities (SCDD) under the Developmental Disabilities Assistance and Bill of Rights Act. As the state DD Council, The Governor's Council works to improve the lives of Alaskans with developmental disabilities, promoting a system where individuals can live meaningful lives in their communities as per AS 47.80, Section 47.80.095 known as the Developmental Disability (DD) Shared Vision Act. SB 190 supports this vision by addressing key issues that improve the guardianship and conservatorship system.

Key improvements in SB 190 include:

- **Clarity and Transparency**: The bill simplifies guardianship, conservatorship, and minor guardianship processes, making them easier to understand for families and legal professionals. It also ensures transparency by requiring the disclosure of criminal and credit histories for potential guardians and conservators.

- **Updated Statutory Terminology**: For example, the terms "ward" and "incapacitated person," "disabled person," are replaced with a more respectful and empowering terms such as "individual under guardianship" or "respondent."

- **Prioritizes Caregivers**: People who have “shown special care and concern” for the individual are given higher priority to become guardians or conservators than those with only a biological connection, ensuring that those who truly care are the ones entrusted with responsibility.

- **Enhanced Oversight for Minor Guardianships**: Requires all minor guardianship appointments to receive Court oversight, annual reporting, and court visitors for certain minor guardianships. This ensures minor’s best interests are continuously monitored by the Court.

- **Increased Due Process for Adults**: The bill strengthens protections for adults in guardianship proceedings with more robust petitions, notices, and reports. It also changes “temporary” guardianships to “emergency” to better reflect the need for urgency without compromising due process.

- **Conservatorship Changes**: Property remains with the individual, ensuring they maintain control over their assets while still receiving necessary support and oversight.

- **Creative Solutions**: The bill allows courts to create flexible protective arrangements tailored to the individual’s needs, such as visitation orders, rather than assuming a full guardianship is always required.

- **Combatting Abuse and Exploitation:** Enhances safeguards against abuse and exploitation by expanding notification requirements for guardianship appointments, prohibiting guardians from restricting communication with family and friends without court authorization.

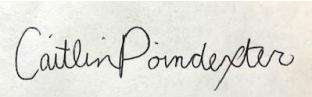
In conclusion, SB 190 makes critical improvements to guardianship and conservatorship laws that better protect the rights and dignity of individuals with developmental disabilities. The Council urges the Legislature to pass SB 190 to support these essential reforms, and stands ready to assist the Legislature in moving this bill forward.

Thank you for your support in this important matter.

Sincerely,

Jena Crafton
GCDSE Chair

Patrick Reinhart
GCDSE Executive Director



Caitlin Poindexter
Legislative Committee Chair

STATE OF ALASKA

MIKE DUNLEAVY, GOVERNOR

DEPARTMENT OF REVENUE
Alaska Mental Health
Trust Authority

Office of the Long-Term Care Ombudsman

3745 Community Park Loop. Suite 200
Anchorage AK 99508
Phone (907) 334-4480
Fax (907) 334-4486

May 13, 2025

Senate Judiciary Committee
Alaska State Capital
Juneau, Alaska 99811

The State of Alaska, Long-Term Care Ombudsman Program is pleased to offer support for *SB 190, "*An Act relating to guardianships, conservatorships, and other protective arrangements; relating to the public guardian; relating to the crime of violating a protective order; amending the Alaska Rules of Probate Procedure; and Rule 77 (c), Alaska Rules of Civil Procedure; and providing for an effective date."

The mission of the Long-Term Care Ombudsman's (LTCO) office is to provide resident-centered advocacy designed to protect the rights, health, safety, and welfare of Alaskans living in long-term care facilities. We fulfill our mission by advocating for person-centered care, investigating and resolving complaints to the satisfaction of the residents and the residents' representative, informing residents and family members of their rights, and regularly visiting long-term care facilities across the State of Alaska.

As a member of the WINGs committee, it was apparent that Alaska's laws around guardianship could be strengthened. The work of that committee was to highlight areas of the current guardianship laws that needed to be updated to include prioritizing an individual's rights, preferences, dignity, and well-being. The LTCO program is excited that the proposed changes to the current law provides for the unique opportunity to consider the least-restrictive alternatives to guardianship. It also encourages flexibility in guardianship, reflecting a person's independence and their right to make decisions affecting their lives to the largest extent possible. This bill also highlights and clarifies the roles of family members, guardians ad litem, attorneys, and court visitors. The bill considers limits on the use and duration of emergency guardianship opportunities to promote certainty and stability and reinforces guardianship planning so supports can evolve as individuals' needs change, which is an important concept in person-centered care.

Thank you for proposing changes to the guardianship statutes as recommended in *SB 190*. These proposed changes will create a more efficient system that better meets the needs of vulnerable Alaskans in our communities.

Sincerely,
Stephanie Wheeler
Stephanie Wheeler, PhD
State of Alaska, Long-Term Ombudsman Program