

January 27, 2023

To: Chairman Prozanski & Members of the Senate Committee on Judiciary

Submitter: Madison R. Macon

Re: SB528

Dear Chairman, Prozanski & Member of the Senate Committee on Judiciary:

My name is Madison Macon and I am writing to you today in opposition of SB 528. I have directly worked with people that have been involved in protective proceedings, and I believe that this bill would cause harm.

I oppose this bill for the following reasons:

1. *Financial burden on involved parties:* The average cost for filing a petition through an attorney is \$6,000 dollars. The burden of this cost typically falls on to the families, and they may or may not be able to afford these costs. Passing this bill would cost families thousands of additional dollars.
2. *Additional responsibilities for attorneys:* The attorneys for these cases often go beyond their responsibilities for the protected parties. Passing this bill would cause the court system, professional fiduciaries, family members, and attorneys to be even more overexerted than they already are. This might result in professional fiduciaries and attorneys having to turn away clients that truly need help.
 - a. For example, if an attorney files a petition for a protected person that is 19 years old, new petitions will need to be filed every 5 years, even if the circumstances that supported the initial guardianship did not change. This causes extra stress for the protected person and their family, and also dramatically increases the costs of maintaining a proceeding. Proceedings could end up costing tens of thousands of dollars.
3. *Unnecessary requirements:* Your average protected person is under guardianship/conservatorship often for their own safety and well-being. A guardian/conservator is often a family member who is doing their best to take care of their loved one. While there may have been cases where a guardianship/conservatorship has been abused, it would be bad policy to create a law based on those outlying cases alone. There are also current safeguards for protected persons, for example, protected

persons can object at any time. This bill risks creating even greater access to justice issues for those in need due to its increased financial burdens.

I have been involved in the elder law community for about 7 months, and I have had the opportunity to work with some amazing attorneys, fiduciaries, and case managers. I have been able to see how much they care for clients, and how they have nothing but their best interest at heart. They often spend time completing extra tasks, filing proceedings, and taking on pro-bono work. This bill would cause harm by 1.) It overwhelms an already overexerted pool of professionals and court system, and 2.) its risks preventing families that need help from being able to access the court system and support due to a lack of financial resources.

As a concerned Oregon resident, I ask that you please vote no on this bill.

Thank you for your time.

Sincerely,



Madison Macon
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