

Submitter: jeff brandon

On Behalf Of:

Committee: Senate Committee On Judiciary

Measure: SB528

I am the chairman of the Legislative Committee of the Guardian/Conservator Association of Oregon. We have a membership of 100-plus members, most of whom are certified professional fiduciaries. We have been in existence since 1988. I am retired from the Public Guardian and Conservator Office of Multnomah County where I served for 25 years. I have stayed active since retiring in 2003, volunteering in many guardian-related organizations such as GCA, Guardian Partners, and WINGS. I have now been involved in guardian affairs for 45 years (since 1978).

I oppose SB 528 as do the large majority of our guardian association members. I would like to speak to you from a point of view of "history" and "wisdom." SB 528 would bring sweeping and drastic changes to Oregon law under ORS 125. For all of its history (since the early 20th century), the Oregon law has been a presumed plenary guardianship law. SB 528 would flip that presumption and make Ch. 125 a presumed limited authority guardianship law.

That is the history. Here is my Wisdom. The Judiciary Committee MUST NOT allow such a profound change to happen in one session. If you want to give the ideas in 528 some consideration, then do it over the next 1-2 years via a special committee or a task force. Vent this! Let there be discussion of pro/con with every interested organization that deals with guardianship: practitioners of g-ship, lawyers, judges, probate court staff, and organizations like GCA. Then, come back to the Senate with the results of a thoroughly vetted proposal.

My conclusion: either reject this bill now, or, set up a mechanism for a statewide review and analysis.

Thank you.