

UPDATED VISITATION POLICY  
(March 30, 2020)

On March 11, 2020, the Probate Division permitted suspension of Guardians' monthly in-person visitation of Wards. Allowing such was done out of concern for the spread of COVID-19 and the particular risk it poses to the Court's Wards and the Guardians who serve them. Several nursing homes and assisted living facilities in the District of Columbia metropolitan area have restricted or prohibited visitation of its clients. As news reports indicate, COVID-19 will likely touch many in our community, including our Wards and those who serve them.

To ensure that it continues to maintain sufficient oversight of the Court's Wards, the Court instructed Guardians to notify the Court of any visitation modifications. Specifically, Guardians who have Wards living in a nursing or assisted living facility must attach to their guardianship reports the facility's plan regarding COVID-19 and any notices of visitation restrictions the facility has issued. The guardianship reports should also include the actions guardians have taken to assist the Wards in protecting their health, safety and welfare. Guardians who have Wards who do not live in a facility must file a praecipe (memo) with their guardianship reports informing the Court the actions they have taken to assist the Wards in protecting their health, safety and welfare.

As such, the Court will reiterate certain principles that Guardians must continue to follow: Guardians must continue to have current information about the Ward's overall care, safety and well-being in order to address any health concerns immediately. Further, it is important that the existence of a Guardianship is known by all who may treat or provide services to Wards. It is imperative that Guardians remain vigilant and the Court remains abreast of the status of its Wards. In that vein, Guardians must continue to do the following:

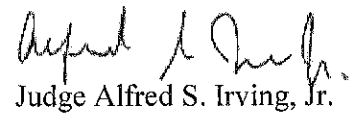
1. Maintain regular and direct contact with Wards, such as through regular telephone calls, to ascertain the status of the Wards.
2. Maintain regular contact with service providers about the status of Wards.
3. Designate a back-up guardian and file such designation with the Ward's facility, in the event the Guardian becomes ill or otherwise become unavailable to fulfill guardianship duties.
4. Know the status of the Ward's caregivers and provide for substitute caregivers to ensure that there are no gaps in services.
5. Ensure mechanisms are in place for automatic deposits of Ward's funds, automatic distribution of allowances to Wards, and automatic monthly payments of Ward's expenses and debts. Guardians should be familiar with online services, to include grocery shopping and laundry services for their Wards.
6. If a Ward suffers from COVID-19, Guardians must maintain sufficient involvement to know of the Ward's medical condition, treatment plan and prospects for release and return home or to the nursing facility.
7. Have current knowledge of any nursing facility's policy changes regarding a Ward's ability to return to a nursing facility from a hospital stay.

8. If a Ward resides outside of a facility, a Guardian must have a process in place to remain informed of the Ward's health, safety and welfare.
9. Ensure that guardianship papers filed with facilities are updated with current and correct information, so that, if a Ward is hospitalized, a hospital knows whom to contact.

This is not meant to be an exhaustive list. Rather, it is meant to set out some general guidance. Each Guardian must develop and execute an individualized plan for their Ward to protect the Ward's health, safety, and welfare throughout the pandemic.

Questions concerning the Guardianship Process may be emailed to [guardianshipassistanceprogram@dcsc.gov](mailto:guardianshipassistanceprogram@dcsc.gov) or a voicemail message at (202) 879-9460 or (202) 879-9461.

The Court appreciates the service of its Fiduciary Panel members and all persons who serve as Guardians and Conservators. The Court hopes that all will remain in good health.



Judge Alfred S. Irving, Jr.  
Presiding Judge, Probate Division