



ASK AN EXPERT

Guardianship as a Tool of Last Resort

by Nina Weiss, Esq.

More than twenty years ago, as an attorney in the Office of the Public Guardian, I attended court for a guardianship matter. Immediately after court, I observed an attorney counseling a client, who was just appointed as guardian, that the relationship is akin to parent to child.

I was taken aback by the inappropriateness and fundamental illegality of this advice. An individual placed under guardianship or limited guardianship may have diminished capacity, but as an adult, they also have years of living and earned wisdom, thus they are not akin to children in any way. The New Jersey statute and rule explicitly contradict such advice and recognize the fundamental rights for all individuals.

The law requires that reasonable and good faith efforts be made to find the least restrictive and least intrusive surrogate decision-making arrangement under the circumstances. The goal in any surrogate decision-making arrangement is to strike the proper balance between protection and autonomy. It is also important to remember, as the title implies,

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DENNIS GARRIGAN RECEIVES LIFE PLANNING PARTNER AWARD

Dennis Garrigan, a member of the PLAN|NJ family, participated in the PLAN|NJ film, "[A Talk with Families.](#)"

In recognition of this contribution and other life planning accomplishments, he was given a PLAN|NJ Life Planning Partner Award in 2022. Sadly, he was unable to attend the Celebration of Abilities to collect his award because of a Covid-19 outbreak at his home.

Recently, service coordinator Nadine Hoston drove him to his sister's home in Maryland, to make an official presentation of his Life Planning Partner Award.



"It was a very special moment," Nadine shared. "I congratulated Dennis on his positive attitude, wonderful contribution to the film and personal strength. This picture will go in my special memories book."

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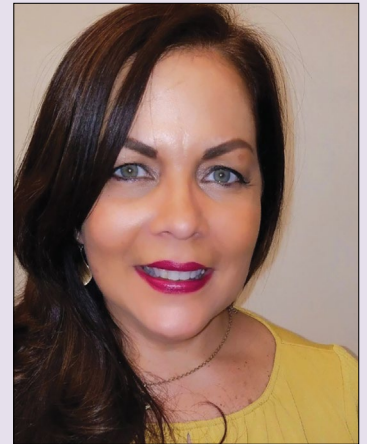
Ellen B. Nalven, M. Ed.,
Executive Director

Strength in Numbers: PLAN|NJ Board of Directors Adds Parent Advocates and Disability Rights Professionals

PLAN|NJ achieved a new milestone as three additional members were added to the Board of Directors after being elected at the December 2022 meeting: Giselle Lassalle; Hazeline Pilgrim, MSW, LSW; and Carla Ponn. This brings the number of board members to sixteen.

Giselle Lassalle

Giselle joins the board as a family member with a loved one who has autism. "Over the years I have witnessed the difficulties and challenges his immediate family has experienced to find the proper schooling and group home placement that are appropriate to his special needs," Ms. Lassalle explained. "Additionally, the ability to plan for his future care is daunting for them. I hope that my personal and work experience, along with a passion to contribute to positive and empowering change, can be useful in support of PLAN|NJ's mandate." Giselle is a retired Operations Specialist for UNICEF and holds a Bachelor of Science in Management from City University of New York.



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guardianship is a "tool" and not a panacea. Guardianship is a legal tool to advocate for and enhance the lives of those living with diminished capacity.

However, guardianship alone is unable to solve many challenges facing these individuals.

Guardianship should also not be used to alter or cure certain behaviors. An individual residing in the community who habitually calls 911 for example will still be able to do so, even if under guardianship. Guardianship is one tool in our toolbox and should be used only

when necessary, in limited ways, to enhance decision making.

Read the complete article at <https://plannj.org/guardianship-as-a-tool-of-last-resort/>

Nina Weiss is an attorney with offices in Pennington, Mercer County, NJ. She specializes in guardianship and less restrictive arrangements and handles matters throughout most counties in New Jersey. She is often appointed by the courts to serve as counsel or guardian ad litem in guardianship and related matters.



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**Hazeline Pilgrim,
MSW, LSW**

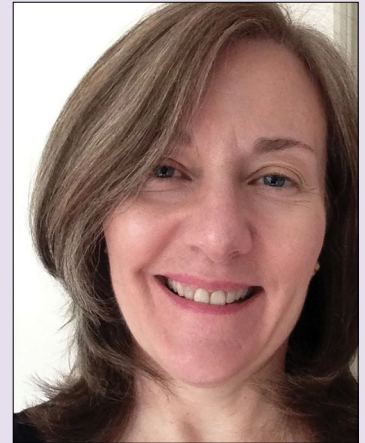
For 20+ years, Hazeline has advocated for children and families who are experiencing developmental or mental health challenges, particularly those in vulnerable populations. She currently serves as the executive director of the



Family Support Organization of Essex County, a family-led organization that provides peer support, education, and advocacy for parents and caregivers whose children are receiving services through New Jersey's Children's System of Care. Past affiliations with several Boards and committees dedicated to improving the lives of people with disabilities and their families include the New Jersey Council on Developmental Disabilities and the New Jersey Mental Health Planning Council. "PLAN|NJ's belief that all people have the right to experience the greatest possible quality of life with dignity resonates with me," said Ms. Pilgrim. "This value is evident in the care demonstrated by the team with whom I have had the privilege of serving. I am humbled and honored by the opportunity to serve on the PLAN|NJ Board."

Carla Ponn

Carla's adult son has disabilities and lives in a supervised group home in West Orange. Carla has served on the boards of several nonprofit agencies that provide group homes and other services to children and adults with disabilities. She is retired from a career in investments at Prudential Financial, where she worked in private placement lending, portfolio management, and headed the investment risk group. Carla has an undergraduate degree from MIT in economics and an MBA from MIT's Sloan School. She lives with her husband in Clinton Township. "I've known Ellen and PLAN|NJ for many years and am thrilled to join the board of such a wonderful organization," said Ms. Ponn. "PLAN|NJ helped with my son's Life Plan, which was a very useful exercise. It is a huge relief to know that PLAN|NJ can step in as guardian and trust manager for my son when I'm gone."



A PARENT THANKS PLAN|NJ

"I am a widow, and my adult daughter has significant disabilities. She lives at home with me, and is eager to move to a group home when space becomes available. The caring professionals at PLAN|NJ already visit us to get to know her and her needs, and I have peace of mind daily, knowing they will be there for her when I'm no longer here. They will support her choices and decisions, and manage her trust on her behalf. PLAN|NJ is a godsend for my family." – Parent

**Save the Date:
PLAN|NJ Family Night Out**

Mark your calendars and plan to attend the 3rd Annual PLAN|NJ Family Night Out at the Somerset Patriots on Thursday, August 24, 2023. At this family-friendly event, we will gather with families, local officials, partner organizations, board members, staff, and ballpark celebrities. We invite you to join us for this festive community event and raise awareness of PLAN|NJ and its services for individuals with disabilities.

Sponsorship opportunities are available; please contact Kerry Lee, Director of Operations, at kerry.lee@plannj.org or 908-575-8300 ext. 21. Your support will help provide access to this event and other community activities for more people with disabilities.

Tickets for the game are available for \$10.00 here: <https://plannj.org/events/>



FRANK DIGIOVANNI

"Who will care for my loved one when I'm gone?"



Planned Lifetime Assistance Network of New Jersey

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