

Resolution 10 In Support of the National College of Probate Judges

WHEREAS, the number of vulnerable elderly persons will increase rapidly over the next twenty years; and

WHEREAS, this demographic trend is likely to result in a substantial increase in the number of cases and proceedings for the protection of vulnerable elderly persons including guardianship, conservatorship, and elder abuse proceedings and restraining orders; and

Whereas, courts exercising probate jurisdiction traditionally address issues that have great impact on individuals and families, including, but not being limited to, decedents' estates, guardianship and conservatorship proceedings for adults and minors, civil commitment proceedings for persons with mental illness or addictive disease in need of involuntary treatment; and

Whereas, legal proceedings and disputes within traditional probate jurisdiction are becoming increasingly more numerous, complex, and multi-jurisdictional in nature; and

WHEREAS, problems regarding the oversight of guardians and conservators have increasingly been the subject of media stories, state supreme court investigations and task forces, Congressional hearings, Government Accountability Office investigations, and national conferences; and

Whereas, jurisdiction over probate and related issues lies within courts of general jurisdiction in 33 states, the District of Columbia, and the territories, with assignment or designation periodically rotating among the several judges in circuits or districts having more than one judge; and

Whereas, it is important for judges exercising probate jurisdiction to have opportunities for education in emerging issues of national concern and impact, as well as to establish networking relationships with and among judges in other states exercising probate jurisdiction; and

Whereas, the National College of Probate Judges (NCPJ), organized in 1968, is the only national organization dedicated exclusively to improving probate law and probate courts; and

Whereas, NCPJ offers its members semi-annual educational conferences, printed and web-based materials and information regarding developments in probate law, standards for probate courts, and other resources to assist judges exercising probate jurisdiction; and

Whereas, the National College of Probate Judges offers a "judicial position" membership for courts of general jurisdiction that provides access to judges hearing probate matters in those courts to the educational and informational resources offered by NCPJ and the other privileges of membership;

NOW, therefore, Be it resolved that the Conference of Chief Justices and the Conference of State Court Administrators encourage their members to urge courts of general jurisdiction in their states that hear probate matters to become "judicial position members" of the National College of Probate Judges (NCPJ) and judges in their states who exercise probate jurisdiction to take advantage of the resources provided through membership in NCPJ.

Adopted as proposed by the CCJ/COSCA Elders and the Courts Committee at the 2011 Annual Meeting on August 3, 2011.