

Internal Guardianship/Conservatorship Procedures

Note: This information is meant to guide you through our internal procedures when guardianship or conservatorship is being considered for an inpatient. All related documents must be reviewed and approved by Joshua Abrams, Esq., Rebecca Weintraub Brendel, MD, JD, and Karon Konner, LICSW.

Inform Karon Konner, LICSW of any new case.

1. Contact Joshua Abrams, Esq. in the Partners Office of General Counsel, Rebecca Weintraub Brendel, MD, JD and Karon Konner, LICSW to review case and obtain legal and clinical approval to proceed with guardianship and/or conservatorship.
2. Forward the Medical Certificate and if applicable, Rogers Affidavit forms via email to the physician to complete. These forms are available from Karon Konner or can be downloaded from the Social Service Department's website. While the primary responsibility for the medical certificate and Rogers Affidavit is the physician's, completion of these forms is anticipated to be a collaborative team effort given the range of specialized information required by the court.
3. Contact the guardianship attorney Joshua Abrams, Esq. assigns to the case for MGH to inform them of a new case.
4. Once the medical certificate and/or Rogers Affidavit is complete, email all forms to Rebecca Weintraub Brendel, MD, JD, and Karon Konner, LICSW for review. Dr. Brendel and Ms. Konner must approve these forms before proceeding. The final documents will be emailed to the physician who completed them and the involved Social Worker.
5. Prepare the petition punch list to provide Joshua Abrams, Esq. or the assigned guardianship attorney with the information needed to prepare the petition(s). Once complete, they will be emailed to you to obtain institutional signature.
6. Contact Karon Konner, LICSW and coordinate with her to obtain institutional signature on the petition(s) from an authorized representative of MGH Administration.
7. The physician who completed the Medical Certificate and/or Rogers Affidavit should print and sign the forms, and contact you to pass them off.
8. With the completed and signed Medical Certificate, Rogers Affidavit and Petition(s) you are now ready to meet with the designated guardianship attorney to forward the paperwork so it can be filed in the appropriate Probate court.
9. It is at this stage based on the circumstances of the case that you should consider coordinating a meeting with the guardianship attorney and the proposed guardian/family.
10. Once a petition has been filed, expect to remain in regular contact with the guardianship attorney for updates on the progress of your case. Contact any counsel appointed to represent the patient to facilitate their review of the medical records and meeting with the patient. Notice of Motion will be delivered to the patient. Review this with the patient and document that discussion in the medical record. A patient has a right to attend their hearing. Determine with the medical team if this is medically appropriate/safe and coordinate this with the guardianship attorney. Also notify Joshua Abrams, Esq., Dr. Brendel and Karon Konner.

At any stage of this process do not hesitate to contact Karon Konner, LICSW with any questions or concerns. Enter all relevant information into the Guardianship Database.

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Inform Karon Konner, LICSW of any new case.

- Obtain initial legal approval from Joshua Abrams, Esq. in the Office of General Counsel to proceed with guardianship and/or conservatorship.
- Obtain initial clinical review and approval from Rebecca Weintraub Brendel MD, JD and Karon Konner, LICSW
- Email the Medical Certificate and/or Rogers Affidavit forms to the appropriate physician for completion (they can be obtained from Karon Konner or downloaded from the Social Services website). All forms submitted to the court must be typed.
- Contact the assigned guardianship attorney for MGH to inform of new guardianship case.
- Email the completed Medical Certificate and/or Rogers Affidavit forms to Dr. Brendel and Ms. Konner. They must approve these forms before proceeding.
- Provide Joshua Abrams, Esq. or the assigned guardianship attorney with information to facilitate completion of the Petition(s).
- Once completed Petition is received from Joshua Abrams, Esq. or the assigned attorney, contact Karon Konner, LICSW to obtain institutional signature on the petition.
- Obtain original signed hardcopies of the approved Medical Certificate and/or Rogers Affidavit from the physician that completed and signed them.
- Contact the guardianship attorney to deliver the original signed copies of the Medical Certificate, Rogers Affidavit and signed Petition(s).
- If counsel is appointed to represent the patient, contact the attorney to facilitate their review of the medical record and meeting with the patient.
- Notice of Motion will be delivered to the patient. Review this with the patient and document that discussion in the medical record.
- The patient has a right to attend their hearing. Determine with the medical team if this is medically appropriate/safe and then coordinate this with the guardianship attorney. Also notify Joshua Abrams, Esq., Dr. Brendel and Karon Konner, LICSW.

At any stage of this process do not hesitate to contact Karon Konner, LICSW with any questions or concerns. Enter all relevant information into the Guardianship Database.