

# Project Amistad assists elderly through guardianship program

**CATRINA FRANCIS**

Monitor Staff

Since 1976, the League of United Latin American Citizens has been providing services through Project Amistad for elderly and disabled adults in the El Paso community. It has been contracted with the county of El Paso to administer indigent guardianship since 1994.

According to LPA, their goal is to eliminate abuse, neglect and exploitation among the elderly and disabled in the community through advocacy and casework services, one case at a time.

LPA assists the elderly through guardianship because there are times when they do not have anyone to care for them and a third party has to sometimes step in to assist as a neutral party because the parties cannot agree on care. LPA also assists if there are family members who are not always able to assist the elderly person with care or they may not be deemed the appropriate person.

"The case of elderly people is one of the toughest areas because there is seldom a clear bright line that lets us know if someone is incapacitated or they have capacity. We have to listen to the testimony and see if there is a need for guardianship," said Max Higgs, probate judge for the county of El Paso.

LPA acts as a guardian to determine a person's residence, type of medical care they receive and who would have access to that person. If the individual has money, LPA or another guardian may be appointed to become guardian of their estate.

Once LPA is appointed guardianship, they file their oath and performance bond. By swearing to a perform-



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**Max Higgs, Probate Judge for the county of El Paso, looks over documents. Higgs is responsible for deciding guardianship for the citizens of El Paso.**

ance bond, LPA is promising to perform duties for the person and their estate. Sometimes these duties include nursing homes or an adult foster home.

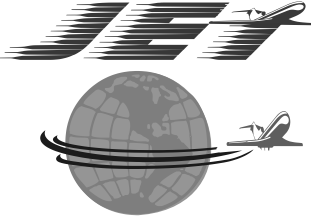
"When they are in an adult foster home, we check on the person three to four times a month depending on the care. We also check on them when they are in the nursing home because we want to ensure they are being cared for," said Xavier Bañales, executive director for LPA.

LPA also serves as guardians for foreign nationals. They come to the area because their spouse may have been in the military and if the spouse

dies they are often left alone, because they do not have family in the country. LPA assists those who are foreign nationals and the assistance can be placement in a nursing home or they assist with buying stamps, post cards and arrange telephone calls to their various family members in other countries.

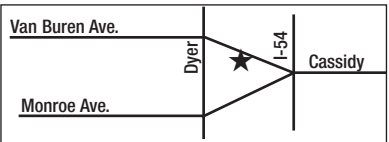
Higgs said families can save themselves and their loved ones a lot of trouble if they utilize the Judge Advocate Corps and have a living will and a healthcare directive done. By doing this, families can avoid the expense of guardianship.

According to LPA, in 2003 they provided guardianship services for 156 wards. During this time, 12 wards passed away and LPA made all funeral arrangements and on several occasions, were the only persons attending the funeral services.



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