

My name is Arthur M. Diamond and I was the Supervising Judge of Guardianship Matters in Nassau County Supreme Court for seven years before I retired in March of 2020.

I thank the Committee for allowing me to submit this testimony.

Article 81 of the Mental Hygiene Law states that when an individual in New York is found by a justice of the Supreme Court to be incapacitated they *shall* have a guardian appointed for them by the court.

For decades lawyers took assignments from the court to serve as a guardian when there was no family member or friend willing to serve. It can be a time-consuming responsibility which lasts for as long as the ward is alive.

However in the recent past, mostly due to the unavailability of funds to pay attorneys the courts have struggled to find guardians for those who have no money and do not qualify for the local community guardian programs.

In 2018, as a result of a roundtable convened by then Senator Kemp Hannon we received a \$250,000 grant for a pilot program conceived by myself which appointed geriatric care managers as guardians where we could not find anyone to serve. The program functioned extremely well but due to several circumstances the grant was not renewed.

Over the past several years I have been working with Sen. Kevin Thomas and his staff to try to re-fund our program. He has been incredibly interested and supportive. But I have learned that we need more legislative support in Albany to accomplish our goal and I am imploring members of this committee to support the grant. Incapacitated individuals are amongst the most vulnerable in our society. They need our-and your-help.

