

Alaska Court System Adult Guardianship Mediation Project Executive Summary

The Alaska Court System, with the support of the Mental Health Trust Authority, created a program to provide mediation in appropriate adult guardianship and conservatorship cases. The program began work in 2005, and has handled about 113 cases since then. To provide a basis for evaluating the program, project personnel compiled data from the mediators in 103 mediations, and from about 260 participants and parties.

The Alaska Judicial Council evaluated the program and found that:

- Agreements on some or all issues were reached in 87% of the cases mediated.
- If Adult Protective Services was involved in the case, agreements were reached 95% of the time.
- Participants were satisfied with the agreements reached most (91%) of the time.
- Participants believed that they were listened to and that their concerns were understood most of the time. Almost all would recommend mediation to others.
- The evaluation included 103 mediations conducted during the first three years of the project. The judge or professionals referred tough cases that they thought would need costly court hearings to resolve. Mediators and project staff believed that the referral for mediation avoided contested court hearings in all but a handful of cases.
- The mediators served much of the state, from Kotzebue to Kenai, all of Southcentral, and Fairbanks and the Fourth District. Mediators also worked with parties by telephone.
- In most of the cases mediated, questions about whether there were alternatives to guardianship were discussed and resolved. Other common issues mediated included the finances of the protected adult, the level of care needed, and decision-making and communication among family members and those responsible for the adult.

Alaska's senior population is projected to almost triple from 43,000 in 2005 to 124,000 in 2025, leading to an increased number of people who may need guardians or conservators.¹ The rest of the state's population will continue to grow at a slower rate,² resulting in an increasing number of guardianship cases for other vulnerable adults.

¹ (Source: DHSS Medicaid forecast, http://www.hss.state.ak.us/das/budget/pdfs/longterm_medicaidforecast'05-'25slideshow.pdf).

² *Id.* The rate of growth in the state's population will slow over the next 20 years from just over 1.0% currently to less than 0.6% by 2025.