

LD 1766 Testimony

I'm writing to testify in favor of LD 1766, a bill that would allow Maine's Probate Courts to become a part of Maine's Judicial Court system.

I feel like having local control and access to the courts is important, however, there have been several instances when the courts have struggled to monitor and keep track of people under guardianship along with records related to their cases under the current system. Effectively leading the courts to not even know whether someone who has been placed under guardianship is alive or dead. Another issue that can be solved through unification is staffing by ensuring that there are enough clerks and lawyers who can help the public along with appointing full time judges who will act in the public's best interest, while giving Maine's governor the power to step in to appoint a replacement if a judge acts unethically or if other issues arise. I've also heard that different judges can have different views on how cases are handled.

Several years ago, my mother walked into probate court with my case manager and gained guardianship of me. Things were okay for a couple years. She gave me some independence by allowing me to sign some paperwork and by allowing me to attend college at the University of Maine to work towards a degree in journalism. But, there were serious issues that came up related to money and not acting in my best interest along with abandoning the apartment we were living in without telling a soul to move into a friend's rundown house in the woods of a nearby town, resulting in property being disposed of, along with substantial debt to the housing authority, which I eventually had to prove that I wasn't responsible for.

The situation was complicated by the fact that I was at the university and away from home for most of the school year. When I figured out what my mother did, one of the only things I could think of at the time was trying to get help and find a way to tell the probate court what was happening. I managed to find the email for the court clerk, and when I wrote to her, not only was she shocked to hear what happened, I was equally shocked to discover that the court had not heard from my mother in years because they had not received any recent reports from her, and she had not updated her address or number with them since the guardianship was granted. She flew under the radar with me and committed acts of neglect. If I hadn't found a way to speak up, the court would have never discovered the sort of situation I had been caught up in. Such situations can be prevented in the future if the probate courts join the judicial system and get more resources to monitor cases.

I've been my own guardian for almost 4 years now, lived on my own for more than 7, and I happily earned my college degree in 2017. I hope that the courts can become unified so more lives can be saved and so neglect and abuse can be prevented.

Thank you
Cindy Thielen, Bangor Maine

