Network Meeting Minutes

March 29, 2017

Attendance: 29

Introductions:  All present introduced themselves

Announcements:

* Aug 15-16 Annual Office of Aging Conference, Long Term Care and Services
* Haven House, Sushi Fundraiser.  Get in touch with Roberta Radosavich
* Know Your Rights Campaign.  [NMdpc.org](http://NMdpc.org) for details
* Rape Crisis Center Fundraiser, April 2
* NNCADV Advocate training.  Visit website for details.  [Nmcadv.org](http://Nmcadv.org)
* 3rd annual DV/SA Symposium in Gallup.  Will send out info to list serve
* UNM also has a food pantry available for the campus community.

Road runner food bank:  Sonya shared info about the food bank.  Roadrunner is food distribution center.  Food distributed through a hunger network of smaller food banks and pantries.  32.5 million pounds of food annually and it is not nearly enough.  30-40% of kids in NM are at risk for hunger.  1 in 6 others are experiencing hunger.  They have also developed an app which will tell you where food banks are located.  70,000 people receive food annually.  Volunteers 14,000 people annually.  Food prep for produce is high and lots of trucks coming from stores require help moving food from trucks and getting it promptly to pantries.  Also skill based volunteers.  SNAP applications for example.

GUIDELINES FOR immigrants who may be concerned in this current environment.  Enlace is offering a workshop soon.  Call Enlace for more details.  Enlace is sending letter to clients advising them of their status as a DV victim and what other rights they may be entitled to.  Programs also should be familiar with Know Your Rights programs which can agencies advise and direct clients.  NM Legal Aid is requesting telephonic hearing for clients who are fearful of going to court.

Legislative Update:  Senate Memorial created a Strangulation Taskforce to develop statewide health plan to reduce incidence of strangulation.  First report due in November.

Confidential substitute address program.  Repeals old program and implements stricter guidance.  This program allows victims to keep their addresses more confidential

SB 215 Firearms and order of protection bill waiting for Gov’s signature.  Very political.  NRA did not take a position.  Requires relinquishing of firearms if you have a restraining order against you.  At the hearing the respondent relinquishes guns to law enforcement.  Firearms can be reclaimed once the order is expired.

SB474 & SB462 both are pieced of legislation awaiting the Governor’s signature and both pertain to addressing the untested rape kits in Albuquerque.

SB149 current IPRA requests require redaction of offender but not victim.  This legislation would require redaction of victims and witnesses.  Waiting on Governor's signature.

Program Updates:  survey Monkey to conduct annual survey of membership to aid in planning future meetings.  Please go to the Networks website <http://thenetwork-DVSA.org>   or <https://www.surveymonkey.com/r/BSVCNL7> Your comments and willingness to present about your agency are valuable to upcoming meeting.   Survey is now ready for responding to.

Panel:  Obtaining Consent When the Client is Impaired

Alice Liu cook, Disability Rights, NM

Ellen Leitzer, Senior citizens Law Office

Marina Tapia, developmental disabilities Planning Council

What is consent especially when working with those with cognitive disabilities including dementia?  It varies depending on the environment and case law.  50% of people over 65 have some level of impairment.  Lawyers should assess the complexity of the issue needing consent and whether the client understands and evaluate the issue and other options.  A lucid moment is all that is required to accept consent by attorneys.

In the eyes of the law, everyone has capacity and even if determined to be incapacitated people do not lose their civil rights.  It is important to try to learn what the client wants.

As providers of services to SA and DV how do we ensure capacity to consent?  Ask about medical problems or ask family members if they have info about medical conditions.  American Bar Assoc and American Psychological Assoc have documents to assist with dementia.  Google either of these websites and search for Assessment of Older Adults with Limited Capacity: A Handbook for Lawyers.

If someone claims authority over another person what should we ask for?  Power of attorney for finances, healthcare power of attorney (or NM has a Uniform Healthcare Decisions Act which defines who can make decisions). If you don't have a power of attorney for finances and something disables you then it becomes a matter of guardianship and/or conservatorship.  Letters of Guardianship should be produced.

You should not only view the legal documents but also make a copy and place it in the clients file.  Guardianship is a legal procedure requiring a judge, guardian ad litem, visitor and a petitioner.  It can cost about $4-5,000.  Guardians are supposed to make decisions that are in accordance with the protected person’s rights unless that decision would harm the protected person.

Meeting adjourned.