



TETON COUNTY OFFICE OF THE
PROSECUTING ATTORNEY

FOR IMMEDIATE RELEASE

September 13, 2022

Teton County Establishes and Joins Joint Board of Community Guardians

The Teton County Office of the Prosecuting Attorney (“TCPA”) is pleased to announce that Teton County has established and joined the Upper Valley Board of Community Guardians (“UVBOCG”) to provide guardianship services for wards in need in Teton County. Jefferson County and Lemhi County have joined the UVBOCG, and it is anticipated that Clark County, Custer County, Fremont Count, and Madison County will join in the near term.

Idaho Code § 15-5-601 contemplates that any county or number or counties within a judicial district may form a community board of guardians to implement guardianships and conservatorships for adult persons who lack the capacity to make or communicate informed decisions regarding their health and welfare due to advanced age, dementia or other reasons and who lack a qualified family member or friend willing or able to serve as their legal guardian. Where a community board of guardians is formed, it is typically comprised of volunteers.

The UVBOCG is not a new entity. Historically, it provided guardianship services to certain wards in south-eastern Idaho on an ad-hoc basis. However, the organization suffered from a lack of volunteer board members and funding, along with other administrative difficulties. It was also not clear that Teton County (or certain other counties) had ever passed the necessary resolutions to properly establish UVBOCG as a quasi-county entity. As a result, since at least 2016, Teton County lacked a mechanism to establish guardianships for wards in need if the individuals did not have a family member or friend willing to serve as their guardian. This void was particularly problematic in instances where individuals would commit criminal offenses but were found unfit to stand trial for reasons other than mental illness, and thus could be neither criminally prosecuted nor involuntarily hospitalized under mental health commitment statutes.

On September 12, 2022, Teton County Prosecuting Attorney Bailey Smith proposed a resolution and joint powers agreement formally establishing UVBOG to the Teton Board of County Commissioners (the “BOCC”) and requested that the BOCC commit \$2,400 to fund Teton’s membership in UVBOG for fiscal year 2023. The BOCC voted to pass the resolution, signed the joint powers agreement, and allocated the necessary funds to cover the County’s participation in the UVBOG.

In order to minimize the costs of the UVBOG, the elected prosecuting attorneys or designated deputy prosecuting attorneys for each participating county will provide legal counsel to the UVBOG, as needed, and will also file petitions for guardianship for potential



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wards. Any community member in the County will be able to refer a potential ward for consideration.

The Teton County BOCC will be selecting at least one volunteer to serve on the UVBOCG board on Teton County's behalf. Each volunteer will serve for a term of four years. Volunteers should be prepared to meet at least once each month unless special circumstances require additional meetings. It is anticipated that UVBOCG meetings will take place remotely via phone or videoconference, although there may be some in-person meetings in the future at the agreement of the UVBOCG board. No prior experience with guardianships is necessary and training will be provided, however, preference may be given to individuals with relevant skills or experience. If you are interested in volunteering as a UVBOCG board member, please complete the brief application form [here](#) and email it to County Manager Dan Reyes at mdreyes@co.teton.id.us.

Links:

Teton County Resolution 2022-0912b establishing the UVBOCG as Teton County's board of community guardians is linked [here](#).

The Joint Powers Agreement establishing the UVBOCG as Teton County's board of community guardians is linked [here](#).

The application form to be a volunteer UVBOCG board member is linked [here](#).