



February 25, 2021

Honorable Edward Gordon Chairman  
House Judiciary Committee  
33 North State Street  
Concord, New Hampshire 03301

Dear Chairman Gordon and Committee Members,

My name is Kenneth Norton, and I am the Executive Director of NAMI NH, the National Alliance on Mental Illness. I am a Licensed Independent Clinical Social Worker (LICSW) in the State of New Hampshire with extensive experience in working in community mental health. During the 17 years I worked in Community Mental Health, many of the clients on my caseloads had guardians who I frequently interfaced with and I also participated in numerous guardianship hearings. On behalf of NAMI NH, I am here to testify in support of HB 540. My testimony is specifically related to individuals with severe mental illness.

For some individuals with severe mental illness who also experience significant functional impairment, guardianship is an important safeguard, albeit one which necessarily restricts their civil liberties. The legal standards and court process for guardianship includes protections and legal representation for the individual for whom guardianship is proposed. Despite these protections and the confidential proceedings of probate court guardianship hearings, the process of having a guardian appointed can be incredibly demoralizing and even traumatizing to the individual involved and their self- esteem/ perception of themselves and their own sense of agency and may inadvertently decrease rather than increase their independence.

In the event guardianship petitions fail to be granted, it can result in individuals whose acute symptoms may impair their judgement and decision-making capacity being very vulnerable. It can also leave family and loved ones of the individual feeling hopeless and helpless.

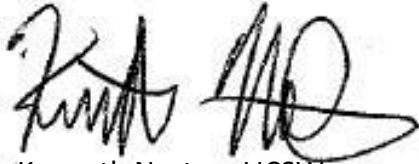
HB 540 provides for supported decision-making as an alternative to guardianship for some individuals. Supported decision-making is a strength-based model which promotes thoughtful and informed decisions. It encourages the engagement of family, friends and natural support systems which sometimes can become distanced or even estranged as a result of mental illness. Supported decision- making will offer an important option that has the potential to increase the capacity of an individual to manage their own affairs and is much more consistent with a model

*Find Help, Find Hope.*

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of promoting individual responsibility, recovery, and independence than a traditional guardianship model. While traditional guardianship will continue to be a necessary consideration in some circumstances, NAMI NH encourages you to vote HB 540 as ought to pass. Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'Kenneth Norton', written in a cursive style.

Kenneth Norton, LICSW  
Executive Director

