

Ending the PGT Role as Committee of Estate

A committee continues to act until an assessment determines the client is capable, the client dies, the court ends the committee, or someone else is appointed by the court.

When the PGT's role as committee of estate ends, because a client is capable, PGT staff will provide clients with their financial information, status of any existing legal matters, priority issues, and helpful community resources and contacts to ensure a smooth and successful transition to independent living. When the PGT ends its role as committee of estate, all assets are returned to the client.

The steps required to end a committee depends on whether the PGT was appointed by a certificate of incapability or a court order.

- (a)** Committee by court order: When the PGT is appointed committee by the court, a new court order is required to end the committee. This is the case for all committees appointed by the court. The only way to end a court ordered committee is for the court to find that the client is capable. The assistance of a lawyer is usually necessary to bring an application for a declaration of capability before the court. The client will be responsible for any legal fees charged. Where the PGT is committee, the client's case manager can help coordinate this process.

- (b)** Committee by Certificate of Incapability: When the PGT is committee of estate by a certificate of incapability, the committee can be ended when:

- The client is determined to be capable following a second assessment or reassessment of incapability;
- The PGT is no longer needed. For example, informal options may be sufficient to address concerns or a trusted person may be able to assist;
- The court ends the committee; or
- The court appoints a new committee.

Reassessments

Clients can request a reassessment of capability by speaking to PGT staff who can explain the steps required and assist with the process for requesting a reassessment. The client may also speak directly with their doctor. The client may be required to pay the cost of a reassessment.

In addition to requesting a reassessment, the client may consult a lawyer about options or to request to challenge a certificate of incapability or court order. The client will be responsible for any legal fees that are charged. The client's case manager can provide a list of resources for legal services. For more information about client rights see page 11 of this publication.

When a client becomes capable or the PGT is no longer needed

The PGT will transfer all of the client's assets to the client and assist the client with the transition to independent living. The client can expect the PGT to:

- Inform parties of the end of the PGT authority as committee of estate;
- Promptly return all assets;
- Redirect income and bill payments back to the client to manage;
- Provide information on finances, priority issues, any existing legal matters, and community resources;
- Answer any questions;
- Assist in creating a smooth transition for the client to independent living.

When a committee is replaced

The PGT or a private committee can be replaced if a court order is made appointing a new committee. If someone would like to become committee for a PGT client, that person can apply to court to be appointed. If appointed, the PGT will transfer responsibility for the client's affairs to the new private committee.

The PGT will assist the private committee in understanding their legal duties and will provide the client's financial information, status of any existing legal matters, priority issues, and helpful community resources and contacts to ensure a smooth and successful transition to the private committee.

If at any time the private committee cannot act (for example, if the private committee dies or his/her authority is rescinded) the PGT becomes the default committee until a new committee is appointed.