

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2014

Bill Number: H.581 **Name of Bill:** An act relating to guardianship of minors

Agency/ Dept: AHS/DCF/Family Services **Author of Bill Review:** Cindy Walcott, Deputy Commissioner

Date of Bill Review: 5/13/2014 **of Bill: (check one):**

☐ Upon Introduction ☐ As passed by 1st body ☒ As passed by both bodies

Recommended Position:

☒ Support ☐ Oppose ☐ Remain Neutral ☐ Support with modifications identified in #8 below

Analysis of Bill

- 1. Summary of bill and issue it addresses.** This bill comprehensively updates the law concerning establishing a minor guardianship through the probate court, for the first time since 1927. It is based on work doing in 2012-13 by the Minor Guardianship Study Committee, as legislatively established study committee, which I chaired.
- 2. Is there a need for this bill?** Yes, the law is sorely out of date. The circumstances which tend to necessitate guardianships are very different now than they were in 1927.
- 3. What are likely to be the fiscal and programmatic implications of this bill for this Department?**
Few. We are not parties to Minor Guardianship.
- 4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?**
Judiciary will be affected; they are in support.
- 5. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** There will be little if any impact on public, municipalities, organizations, business, regulated entities, etc. There will be a positive impact on families who initiate such proceedings.
- 6. Other Stakeholders:**
 - 6.1 Who else is likely to support the proposal and why?**
Relative caregivers and their advocates; private attorneys – the proposed process will leave people better informed and better engaged in the process.
 - 6.2 Who else is likely to oppose the proposal and why?** No likely opponents.
- 7. Rationale for recommendation:** The recommendations of the Minor Guardianship Study Committee were thoughtfully formulated over a year's time. The committee took the time to educate itself on the issues, and heard from a variety of stakeholders. The recommendations formed the basis for the bill. If passed, this bill

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will greatly improve the probate court process, and have a positive impact on children and families. The Senate made some good modifications to the House version of the bill.

8. Specific modifications that would be needed to recommend support of this bill: None.

Secretary/Commissioner has reviewed this document: _____ ***Date:*** _____