

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: 4/23/14

Status of Bill: (check one):

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

This has not yet passed in the Senate. There are some changes from the version passed by the House.

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 **Is there a need for this bill?** Yes, the law is sorely out of date.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.

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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 will greatly improve the probate court process, and have a positive impact on children and families.

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

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