

STATEMENT OF PURPOSE

RS24146

This proposed legislation has been recommended by the Idaho Supreme Court's Guardianship and Conservatorship Committee. I.C. § 15-5-409a permits a minor's legal claim for money to be settled by the father or mother of the minor with whom the minor resides. In some cases, the minor's parents are deceased or unavailable, or the minor may not reside with them. In such cases, it may be difficult or impossible to settle the claim. This proposed legislation would allow other persons, such as a conservator, guardian, or other legal representative, to submit a proposed compromise of the claim to the court. A priority for who may settle the claim on behalf of the minor is specified. The proposed legislation also requires certain information to be provided to the court so that the court will be able to determine whether the compromise is reasonable and is in the best interest of the minor.

FISCAL NOTE

This proposed legislation would not require any additional expenditure from the General Fund. While the specific amount it might save cannot be determined, there may be some savings because the bill would expedite the settlement of some cases that otherwise would go to trial.

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