

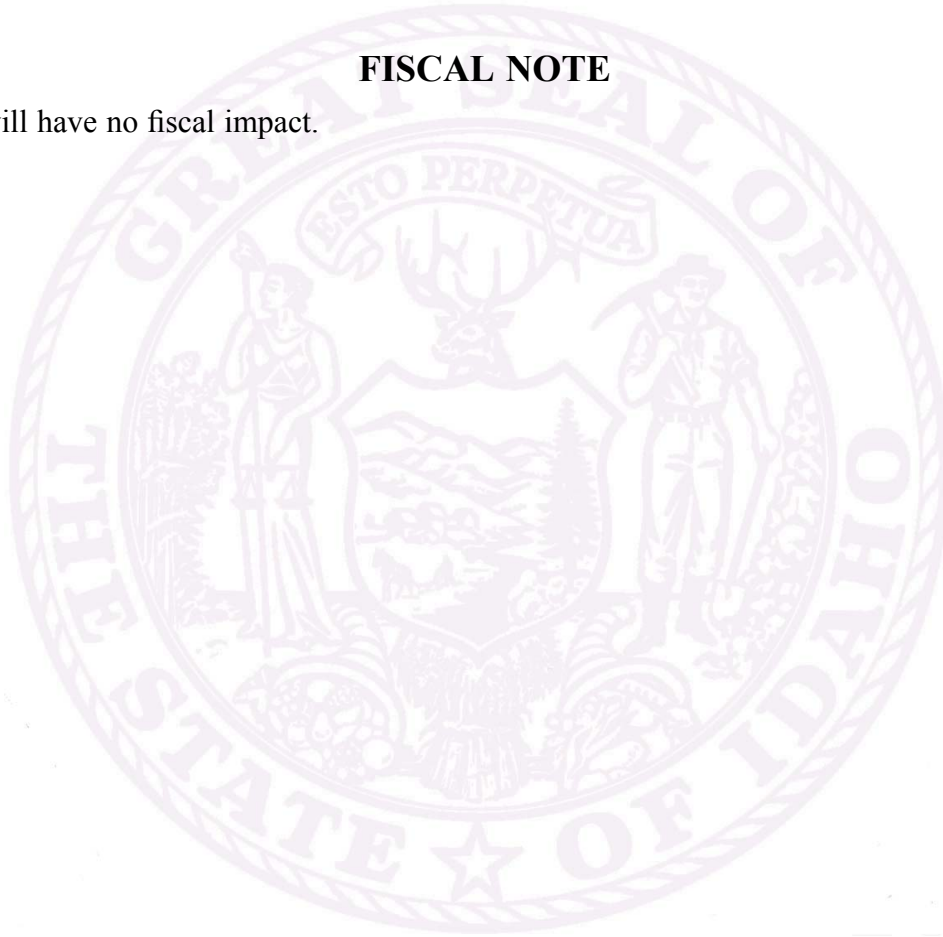
STATEMENT OF PURPOSE

RS23357

In a conservatorship/guardianship proceeding, the Court appoints a Guardian ad Litem, an attorney, to guard the rights of the person who is the subject of the proceeding. The duties and powers of the Guardian ad Litem are set forth in parallel sections in the Guardianship and Conservatorship portions of the Probate Code. Recently, some Guardian ad Litem have improperly tried to use the list of rights and powers to act as if they were the actual Guardian and/or Conservator. This bill makes it clear that the powers and rights in sections 15-5-316 (Guardianship) and 15-5-435 (Conservatorship) are only to be used to carry out the duties of the Guardian ad Litem in sections 15-3-315 (Guardianship) and 15-5-434 (Conservatorship) which is the proper role for a Guardian ad Litem.

FISCAL NOTE

This bill will have no fiscal impact.



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