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An Act To Extend the Maximum Time Period for Powers of Attorney for Minors and Incapacitated Persons

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 18-A MRSA §5-104, sub-§(a), as enacted by PL 1997, c. 455, §7, is amended to read:

(a). A parent or guardian of a minor or incapacitated person, by a properly executed power of attorney, may delegate to another person, for a period not exceeding 612 months, any of that parent's or guardian's powers regarding care, custody or property of the minor child or ward, except the power to consent to marriage or adoption of a minor ward. A delegation by a ~~court-appointed~~court-appointed guardian becomes effective only when the power of attorney is filed with the court.

Sec. 2. 18-A MRSA §5-213 is enacted to read:

§ 5-213. Transitional arrangements for minors

In issuing, modifying or terminating an order of guardianship for a minor, the court may enter an order providing for transitional arrangements for the minor if the court determines that such arrangements will assist the minor with a transition of custody and are in the best interest of the child. Orders providing for transitional arrangements may include, but are not limited to, rights of contact, housing, counseling or rehabilitation.

Effective 90 days following adjournment of the 125th
Legislature, First Regular Session, unless otherwise indicated.