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H.151

Introduced by Representatives Leavitt of Grand Isle and Morgan of Milton

Referred to Committee on

Date:

Subject: Human services; developmental disabilities; guardianship

Statement of purpose of bill as introduced: This bill proposes to require that petitions for guardianship of individuals with developmental disabilities include a statement that the individual is at least 18 years of age or will be 18 years of age within six months of the filing date of the petition.

An act relating to petitions for guardianship of individuals with developmental disabilities

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 18 V.S.A. § 9305 is amended to read:

§ 9305. PETITION FOR GUARDIANSHIP

Any interested person with knowledge of the facts alleged may request the State's Attorney having jurisdiction to file a petition with the Family Division of the Superior Court alleging that person is developmentally disabled and in need of guardianship. The State's Attorney shall file the petition unless it clearly appears that the petition will be insufficient to support an action under this chapter. The petition shall set forth:

1           (1) ~~The~~ the name, address, and telephone number of the interested  
2           person who requested the filing of the petition, and the nature of ~~his or her~~ that  
3           person's interest in the person alleged to have developmental disabilities;

4           (2) ~~The~~ the name, address, telephone number, and age of the respondent  
5           and the name, address, and telephone number of any near relative of the  
6           respondent and the name of any guardian or person holding a power of  
7           attorney of the person;

8           (3) a statement indicating that the respondent is 18 years of age or older  
9           or will be 18 years of age within six months of the filing date of the petition;

10          (4) ~~The~~ the reasons and the supporting facts why guardianship is  
11          needed; and

12          ~~(4)(5) The petition shall be limited to~~ only information that is relevant to  
13          the respondent's need for guardianship.

14          Sec. 2. EFFECTIVE DATE

15          This act shall take effect on July 1, 2023.