

March 3, 2003

**H 156. GUARDIANSHIP STUDY. TO ESTABLISH A LEGISLATIVE STUDY COMMISSION ON STATE GUARDIANSHIP LAWS.** As title indicates, establishes 14-member Comm'n, seven members to be appointed by the Speaker (including four House members, one of whom shall be cochair) and seven by the Pres. Pro Tem. (including four Senate members, one of whom shall be cochair) and requires that public members have experience with NC guardianship law. Directs Comm'n to consider the following issues relating to guardianship: (1) the circumstances under which guardianship should be used and the extent to which courts should make specific findings of incapacity and limit the scope of guardianship; (2) the definition of incompetency; (3) legal procedures and protections and the nature of legal rights lost upon a declaration of incompetency; (4) the role of attorneys and guardians ad litem and public human services organizations; (5) the need for public education and agency funding for guardianship services (6) the powers, duties and liabilities of guardians, including the need for investment guidelines; and (7) whether the Uniform Guardianship and Protective Proceedings Act should be adopted or guardianship laws should otherwise be revised. Requires that Comm'n make interim report at convening of 2004 Regular Session and a final report at convening of 2005 General Assembly. Appropriates \$30,000 for both 2003-2004 and 2004-2005 fiscal years to meet requirements of act. Effective July 1, 2003.

**Intro. by Warren, Earle.**

Ref. to Rules	STUDY, APPROP
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