

STATEMENT OF PURPOSE

RS24566

This bill would correct an omission in the statutes relating to guardianships. Idaho Code § 15-5-212A specifically addresses the procedure for terminating the guardianship of a child who has been found to be abandoned, abused, or neglected under the Child Protective Act. However, the statutes include no reference to the termination of a guardianship for other minors. This was identified as an apparent oversight in the concurring opinion of Justice Jim Jones in *Doe v. Doe*, 150 Idaho 432, 247 P.3d 659 (2011). This bill would amend I.C. § 15-5-212 to provide that a person interested in the welfare of a ward, or a ward who is at least 14, may petition the court for modification or termination of the guardianship on the ground that the modification or termination would be in the best interest of the ward. This would fill a gap in the Idaho Code and provide guidance to all persons concerned in a guardianship.

FISCAL NOTE

This bill would have no impact on the general fund.

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