

## STATEMENT OF PURPOSE

### RS25190

This bill has been proposed by the Supreme Court based on a recommendation from its Guardianship and Conservatorship Committee, which brings together judges, practitioners, legislators, and others who deal with this area of the law. It amends the guardianship statutes in a few respects. First, in *Doe I v. Doe II*, 160 Idaho 311, 372 P.3d 366 (2016), the Supreme Court held that the current statutes permit the appointment of only a single guardian for a minor. This bill would permit the appointment of two co-guardians for minors, incapacitated persons, and persons with developmental disabilities. It sets standards for the appointments of co-guardians, and also provides that the court would determine whether the co-guardians could act independently or would be required to act jointly. Second, the legislation would clarify the standards for temporary guardians, who are appointed by a court when a guardian has not yet been appointed but a temporary guardian is needed to protect the individual, or when there is substantial evidence that an appointed guardian is not performing the duties of a guardian. Third, the bill provides that Supreme Court rules would establish the qualifications of court visitors and the standards for visitors' reports to the court. Finally, the bill would require that in cases of persons with developmental disabilities, the reports of evaluation committees would be made in compliance with Supreme Court rules.

### FISCAL NOTE

This bill clarifies court procedures and its implementation does not require any additional expenditures. Consequently, the bill would have no fiscal impact on the state or local units of government.

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**DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).**