

STATEMENT OF PURPOSE

RS28628 / S1133

This bill adds clarity to ensure that a temporary guardianship remains temporary and cannot be extended or continued indefinitely to constitute de facto termination of parental rights. Temporary guardianships are intended to only be granted for six months but the current statute may be subject to vague interpretation. This bill directs the courts to follow the six month statutory direction but does allow for a temporary guardianship to be continued once for an additional six months, but in no case for more than twelve months, if the court finds good cause for such extension. While these cases are rare, if there are any such cases in Idaho, this bill also includes an emergency clause to ensure any such cases are resolved immediately to ensure adherence to the statutory intent.

FISCAL NOTE

There is no fiscal impact of this legislation as the bill simply provides clarification in these cases.

Contact:

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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).