

1 H.151

2 Introduced by Representatives Brumsted of Shelburne and Wood of

3 Waterbury

4 Referred to Committee on

5 Date:

6 Subject: Human services; developmental disabilities; guardianship

7 Statement of purpose of bill as introduced: This bill proposes to require that

8 petitions for guardianship of individuals with developmental disabilities

9 include a statement that the individual is at least 18 years of age or will be 18

10 years of age within six months of the filing date of the petition.

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

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

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

15 § 9305. PETITION FOR GUARDIANSHIP

16 Any interested person with knowledge of the facts alleged may request the

17 State's Attorney having jurisdiction to file a petition with the Family Division

18 of the Superior Court alleging that person is developmentally disabled and in

19 need of guardianship. The State's Attorney shall file the petition unless it

1 clearly appears that the petition will be insufficient to support an action under
2 this chapter. The petition shall set forth:

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

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

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

12 (4) ~~The~~ the reasons and the supporting facts why guardianship is
13 needed; and

14 (~~4~~)(5) ~~The petition shall be limited to~~ only information that is relevant to
15 the respondent's need for guardianship.

16 Sec. 2. EFFECTIVE DATE

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