

1 (a)(1) If the petition requests a standby consensual guardianship, the
2 petition shall include or be accompanied by a consent signed by the custodial
3 parent attesting that the custodial parent understands the nature of the standby
4 guardianship and knowingly and voluntarily consents to the standby
5 guardianship. ~~The consent shall provide that the custodial parent's agreement~~
6 is contingent upon the parent becoming subject to an adverse immigration
7 action that renders the parent unavailable to care for the child.

8 (2) The consent required by this subsection shall be on a form approved
9 by the Court Administrator.

10 (b)(1) The court shall schedule a hearing on the petition within 14 days.
11 The custodial parent shall be permitted to appear at and participate in the
12 hearing remotely.

13 (2) On or before the date of the hearing, the parties shall file an
14 agreement between the proposed guardian and the custodial parents. The
15 agreement shall provide:

16 (A) that the parties ~~intend to create~~ **are creating** a standby
17 guardianship that is effective only if the custodial parent has been subject to an
18 adverse immigration action that renders the custodial parent unavailable to care
19 for the child;

20 (B) the responsibilities of the guardian;

21 (C) the responsibilities of the parents;

Comments 6


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4

 Barb Prine
Feb 24


TZ and TC thought this was not necessary.

Reply

 Barb Prine
Feb 24


We agree to this.

Reply

 Barb Prine
Feb 24

TZ requested this to make it current tense

Reply

 Barb Prine
Feb 24

We agree

Reply