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State of Minnesota

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HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE No. 1396

February 26, 2007

Authored by Madore, Loeffler, Thissen and Walker

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice

March 27, 2007

Committee Recommendation and Adoption of Report:

To Pass as Amended

Read Second Time

1.1 A bill for an act
1.2 relating to guardians and conservators; requiring a study to make
1.3 recommendations regarding conservatorship and guardianship.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **STUDY.**

1.6 The state court administrator shall convene a study group to make recommendations
1.7 to the legislature regarding the following areas of conservatorship and guardianship:
1.8 the rights of wards and protected persons; powers and duties of conservators and
1.9 guardians; certification and registration; prescreening and diversion from guardianship
1.10 or conservatorship; complaint processes; training; financial auditing; and reimbursement
1.11 of attorneys, guardians, and conservators. Membership in the study group shall include
1.12 but not be limited to representatives from: probate courts in the metropolitan area and
1.13 greater Minnesota; county adult protection services; the Minnesota Bar Association;
1.14 the Department of Veterans Affairs; the Minnesota Association for Guardianship
1.15 and Conservatorship; the National Guardianship Association; agencies providing
1.16 guardianship and conservatorship services; organizations providing training for guardians
1.17 and conservators; the offices of the ombudsman for mental health and developmental
1.18 disabilities and the long-term care ombudsman; and advocates for seniors and for people
1.19 with a range of disabilities, including developmental disabilities, mental illness, and
1.20 traumatic brain injuries.

1.21 The study group shall make a report to the house and senate committees having
1.22 jurisdiction over the state courts by January 15, 2008.