

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Judiciary

REVENUE: No revenue impact

FISCAL: No fiscal impact

SUBSEQUENT REFERRAL TO:

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Channa Newell, Counsel

Meeting Dates: 5/18

WHAT THE MEASURE DOES: Includes conservator as person who may file consent form in action for recovery of damages to child by wrongful act.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: A conservator is a person or entity appointed by a court to manage the property and affairs of another. This may be an adult who is found incapable or a minor child. The conservator acts on behalf of the protected person on financial matters, such as disposition of property, budgeting, and business management. A guardian ad litem is appointed by a court to represent the best interests of a child within a court proceeding. Both a guardian ad litem and a conservator may appear on behalf of a child in an action, but only the guardian ad litem may bring a request for injury-related medical expenses within a larger claim. This may cause additional expenses and unnecessary delays when a conservator has already been appointed, but a guardian ad litem must be appointed as well.

House Bill 2964 A allows a conservator to file the request for injury-related medical expenses on behalf of a child.