

Fiscal: No Fiscal Impact

Revenue: No Revenue Impact

Action Date: 05/18/15

Action: Do Pass The A-Eng Bill.

Meeting Dates: 05/18

Vote:

Yeas: 5 - Burdick, Gelser, Kruse, Prozanski, Thatcher

Prepared By: Channa Newell, Counsel

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:

- Role of guardian ad litem
- Role of conservator
- Process for recovery of damages for injury to child
- Provisions of measure

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.