

MAINE STATE LEGISLATURE

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JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 856, L.D. 1213, Bill, "An Act Regarding the Effective Date of Guardian Ad Litem Training"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 19-A MRSA §1507, sub-§2, as amended by PL 1997, c. 257, §2 and affected by §6, is further amended to read:

2. Qualifications. A guardian ad litem appointed on or after September 1, 1998 March 1, 2000 must meet the qualifications established by the Supreme Judicial Court.

Sec. 2. 22 MRSA §4005, sub-§1, ¶A, as amended by PL 1997, c. 257, §5, is further amended to read:

A. The court, in every child protection proceeding except a request for a preliminary protection order under section 4034 or a petition for a medical treatment order under section 4071, but including hearings on those orders, shall appoint a guardian ad litem for the child. The guardian ad litem's reasonable costs and expenses must be paid by the District Court. The appointment must be made as soon as possible after the proceeding is initiated. Guardians ad litem appointed on or after September 1, 1998 March 1, 2000 must meet the qualifications established by the Supreme Judicial Court.

R. 48

2 **Sec. 3. PL 1995, c. 405, §25, first ¶, 4th sentence** is amended to
read:

4 The program must be implemented by ~~September 1, 1997~~ November 1,
 1999.

6 **Sec. 4. PL 1995, c. 405, §25, sub-§4** is amended to read:

8 4. The Supreme Judicial Court is requested to report its
10 findings and recommendations, including any recommended
12 legislation, to the ~~First~~ Second Regular Session of the ~~118th~~
 119th Legislature and the joint standing committee of the
14 Legislature having jurisdiction over judiciary matters no later
 than ~~January 15, 1997~~ December 15, 1999.

16 Further amend the bill by inserting at the end before the
 summary the following:

18
20 **FISCAL NOTE**

22 The delay in the training and certification of guardians ad
 litem will allow the Judicial Department to defer some minor
24 additional costs.

26 The Judicial Department will incur some minor additional
 costs to report the findings and recommendations of the Supreme
28 Judicial Court regarding guardians ad litem. These costs can be
 absorbed within the department's existing budgeted resources.'

30
32 **SUMMARY**

34 This amendment replaces the bill. It revises the deadlines
 concerning the training and qualifications for guardians ad litem
36 as follows.

38 1. The Supreme Judicial Court must implement the guardian
 ad litem training program by November 1, 1999.

40 2. The Supreme Judicial Court must report back to the Joint
42 Standing Committee on Judiciary by December 15, 1999 about the
 training, certification, assignment and supervision of guardians
44 ad litem.

46 3. All guardians ad litem appointed after March 1, 2000 in
 child protection and family law cases must meet the
48 qualifications established by the Supreme Judicial Court.

50 The amendment also adds a fiscal note to the bill.