

HOUSE No. 663

By Mr. Mahan of Leominster (by request), petition of Florence M. Miller for the appointment by the Governor of a committee for the protection of the care and happiness of mentally ill persons and spendthrifts. Legal Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Eight.

AN ACT ESTABLISHING A COMMITTEE FOR THE PROTECTION OF THE CARE AND HAPPINESS OF MENTALLY ILL PERSONS AND SPENDTHRIFTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. For the purpose of protecting the financial,
2 legal and physical rights of mentally ill persons or spendthrifts,
3 committees of from three to five persons shall be set up through-
4 out the commonwealth. The governor is hereby directed to
5 appoint such members from persons interested in social welfare.

1 SECTION 2. All petitions for conservatorship or guardian-
2 ship of mentally ill persons or spendthrifts shall be referred to
3 said committees. The committee to which such a petition is
4 referred shall notify at least three persons close to the person
5 for whose guardianship or conservatorship the petition is brought.
6 If said person does not live with the petitioner, then one with
7 whom he or she does live or has lived must be notified. His or
8 her pastor, priest or rabbi, and his or her lawyer, if any, must
9 be notified.

1 SECTION 3. If, after a reasonable time, no objection is made
2 to the petition, the commonwealth shall so report to the probate
3 court having jurisdiction over said petition. If, however, any
4 objection is made to said petition the commonwealth shall inves-

5 tigate the person seeking to be named conservator or guardian in
6 an attempt to determine whether the ward's care and happiness
7 would be properly protected by such appointment. The com-
8 mittee shall then report their findings to the probate court. In
9 special cases the probate court may, while said investigation is
10 being made, make a temporary appointment of a conservator or
11 guardian.

12 The committee shall also investigate any complaints in
13 connection with the placing of any person in a rest home or
14 nursing home.