

Accompanying the eighth recommendation of the Executive Office of Elder Affairs (House, No. 90). The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Two.

AN ACT TO PROTECT THE RIGHTS OF PERSONS SUBJECT TO GUARDIANSHIP PROCEEDINGS.

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. Section seven of chapter two hundred and one
2 of the General Laws, as appearing in the 1990 Official Edition
3 is hereby amended by inserting the following sentences at the end
4 of said section beginning at line seventeen thereof: —

5 The written notice given to the alleged mentally ill or mentally
6 retarded person, as set forth above, shall be in plain language and
7 large type, indicate the time and place of the hearing upon such
8 petition, list the possible adverse consequences of the proceedings
9 to such person and list the rights to which such person is entitled.
10 A copy of the petition shall be attached thereto.

1 SECTION 2. Section nine of chapter two hundred and one of
2 the General Laws, as appearing in the 1990 Official Edition is
3 hereby amended by inserting the following sentences at the end
4 of said section beginning at line six thereof: —

5 The written notice given to the alleged spendthrift, as set forth
6 above, shall be in plain language and large type, indicate the time
7 and place of the hearing upon such petition, list the possible
8 adverse consequences of the proceedings to such person and list
9 the rights to which such person is entitled. A copy of the petition
10 shall be attached thereto.

1 SECTION 3. Section fourteen of chapter two hundred and one
2 of the General Laws, as appearing in the 1990 Official Edition

3 is hereby amended by inserting after subsection (g) the following
4 subsection: —

5 (h) Any written notice of a hearing on a petition for the
6 appointment of a temporary guardian shall be in plain language
7 and large type, indicate the time and place of the hearing upon
8 such petition, list the possible adverse consequences of the
9 proceedings to such person and list the rights to which such person
10 is entitled. A copy of the petition shall be attached thereto.

1 SECTION 4. Section seventeen of chapter two hundred and
2 one of the General Laws, as appearing in the 1990 Official Edition
3 is amended by inserting the following sentences at the end of the
4 section beginning with line seventeen: —

5 The written notice given to the allegedly mentally weak person,
6 mentally retarded person, M.I.A. or P.O.W., as set forth above
7 shall be in plain language and large type, indicate the time and
8 place of the hearing upon such petition, list the possible adverse
9 consequences of the proceedings to such person and list the rights
10 to which such person is entitled. A copy of the petition shall be
11 attached thereto.

1 SECTION 5. Section twenty-one of chapter two hundred and
2 one, as appearing in the 1990 Official Edition is amended by
3 inserting the following sentences at the end of said section
4 beginning at line twenty-three thereof: —

5 Any written notice of a hearing on a petition for the
6 appointment of a temporary conservator shall be in plain language
7 and large type, indicate the time and place of the hearing upon
8 such petition, list the possible adverse consequences of the
9 proceedings to such person and list the rights to which such person
10 is entitled. A copy of the petition shall be attached thereto.