

By Mr. Sacco of Medford, petition of the Massachusetts Bar Association and George L. Sacco, Jr., for legislation to limit the period for which a temporary conservator may be initially appointed by the probate court. The Judiciary.

**The Commonwealth of Massachusetts**

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

AN ACT LIMITING THE PERIOD FOR WHICH A TEMPORARY CONSERVATOR MAY BE INITIALLY APPOINTED BY THE PROBATE COURT.

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

1 Chapter 201 of the General Laws is hereby amended by  
2 striking out section 21, as most recently amended by chapter  
3 330 of the acts of 1954, and inserting in place thereof the fol-  
4 lowing section:—

5 *Section 21.* Upon the petition of a person of advanced age  
6 or mental weakness or of a friend or upon the petition of the  
7 board of public welfare, or upon the petition or with the written  
8 assent of a person who by reason of physical incapacity is un-  
9 able to properly care for his property, the probate court may,  
10 if it finds that the welfare of the person of advanced age, men-  
11 tal weakness or physical incapacity requires the immediate ap-  
12 pointment of a temporary conservator of his property, appoint  
13 such temporary conservator, with or without notice; and may  
14 in like manner remove or discharge him or terminate the trust,  
15 but that said temporary appointment shall terminate at the  
16 expiration of ninety days from the date of said appointment  
17 unless said period is extended upon motion to the probate  
18 court. A temporary conservator shall have the same powers  
19 and duties as a permanent conservator and may proceed and  
20 continue in the execution thereof, notwithstanding an appeal  
21 from the decree appointing him, or until the appointment of a  
22 permanent conservator or guardian, until it is otherwise or-  
23 dered by the supreme judicial court, or until the trust is other-

