

Committee on Children, Families, and Elder Affairs

CS/CS/HB 437 — Guardians for Dependent Children who are Developmentally Disabled or Incapacitated

by Civil Justice Subcommittee; Children, Families and Seniors Subcommittee; and Rep. Adkins and others (CS/CS/CS/SB 496 by Appropriations Committee; Judiciary Committee; Children, Families, and Elder Affairs Committee; and Senator Detert)

The bill creates “The Regis Little Act to Protect Children with Special Needs.” This Act establishes a process to identify guardians and guardian advocates for foster children with developmental disabilities or incapacity and are in need of guardianship beyond their 18th birthday. The bill requires the Department of Children and Families (DCF) to create updated case plans developed in face-to-face conferences with a child and other specified persons, when appropriate. When the dependency court determines the child may have a developmental disability or incapacity, DCF is required to complete a multidisciplinary report, identify one or more individuals who are willing to serve as guardian advocate or as a plenary or limited guardian and initiate such proceedings within 180 days of the child’s 17th birthday.

The bill authorizes the guardianship court to initiate proceedings for the minor and provide all due process rights conferred upon an adult. It also allows the child’s parents to be considered as natural guardians unless the guardianship court determines it is not in the child’s best interest or the parents’ rights have been terminated.

If approved by the Governor, these provisions take effect July 1, 2015.

Vote: Senate 40-0; House 115-0