



695286

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/15/2017	.	
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The Committee on Judiciary (Passidomo) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 62 - 91

and insert:

petitioner and the attorney for the alleged incapacitated person  
by electronic mail delivery or United States mail and, upon  
service, shall file a certificate of service in the incapacity  
proceeding. The petitioner and the attorney for the alleged  
incapacitated person must be served with all reports at least 10  
days before the hearing on the petition, unless the reports are



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11 not complete, in which case the petitioner and the attorney for  
12 the alleged incapacitated person may waive the 10-day  
13 requirement and consent to the consideration of the reports by  
14 the court at the adjudicatory hearing. If such service is not  
15 timely carried out, the petitioner or the alleged incapacitated  
16 person may move for a continuance of the hearing ~~A copy of each~~  
17 ~~committee member's report must be served on the petitioner and~~  
18 ~~on the attorney for the alleged incapacitated person within 3~~  
19 ~~days after the report is filed and at least 5 days before the~~  
20 ~~hearing on the petition.~~

21 (i) The petitioner and the alleged incapacitated person may  
22 object to the introduction into evidence of all or any portion  
23 of the examining committee members' reports by filing and  
24 -serving a written objection on the other party no later than 5  
25 days before the adjudicatory hearing. The objection must state  
26 the basis upon which the challenge to admissibility is made. If  
27 an objection is timely filed and served, the court shall apply  
28 the rules of evidence in determining the reports' admissibility.  
29 For good cause shown, the court may extend the time to file and  
30 serve the written objection.

31 (5) ADJUDICATORY HEARING.—

32 (a) Upon appointment of the examining committee, the court  
33 shall set the date upon which the petition will be heard. The  
34 ~~date for the~~ adjudicatory hearing must be conducted at least 10  
35 days, which time period may be waived, but no more than 30 days,  
36 after the filing of the last

37  
38 ===== T I T L E A M E N D M E N T =====

39 And the title is amended as follows:



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40           Delete line 13  
41 and insert:  
42           reports; authorizing parties to agree to waive the  
43           timeframe; authorizing the petitioner and the alleged