

Part 1 General Provisions

75-5-101 Jurisdiction of subject matter -- Consolidation of proceedings.

- (1) The court has jurisdiction over protective proceedings and guardianship proceedings.
- (2) When both guardianship and protective proceedings as to the same person are commenced or pending in the same court, the proceedings may be consolidated.

Enacted by Chapter 150, 1975 General Session

75-5-102 Facility of payment or delivery.

- (1) Any person under a duty to pay or deliver money or personal property to a minor may perform this duty, in amounts not exceeding \$10,000 per annum, by paying or delivering the money or property to:
 - (a) the minor, if he is married or if payment to the minor is expressly authorized by statute;
 - (b) any person having the care and custody of the minor with whom the minor resides; or
 - (c) a guardian of the minor.
- (2) This section does not apply if the person making payment or delivery has actual knowledge that a conservator has been appointed or proceedings for appointment of a conservator of the estate of the minor are pending.
- (3) The persons, other than the minor, receiving money or property for a minor are obligated to apply the money to the support and education of the minor and may not pay themselves except by way of reimbursement for out-of-pocket expenses for goods and services necessary for the minor's support. Any excess sums shall be preserved for future support of the minor. Any balance not so used and any property received for the minor must be turned over to the minor when he attains majority.
- (4) Persons receiving money under this section on behalf of a minor shall have the power to settle and release in whole or in part the claims belonging to the minor giving rise to the duty to pay money to the minor.
- (5) Persons who pay or deliver in accordance with provisions of this section are not responsible for the proper application thereof.

Amended by Chapter 198, 2004 General Session

75-5-103 Delegation of powers by parent or guardian.

A parent or a guardian of a minor or incapacitated person, by a properly-executed power of attorney, may delegate to another person, for a period not exceeding six months, any of his powers regarding care, custody, or property of the minor child or ward, except his power to consent to marriage or adoption of a minor ward.

Enacted by Chapter 150, 1975 General Session

75-5-104 Power of court to appoint guardian ad litem not affected.

Nothing contained in this chapter affects or impairs the power of any court to appoint a guardian to represent the interests of any minor interested in any suit or matter pending before it.

Enacted by Chapter 150, 1975 General Session

75-5-105 Bond of guardian.

A guardian coming into the possession or control of funds or other property of a minor or incapacitated person may be required by the court to furnish a bond in an amount and under the conditions as set forth for conservators in Sections 75-5-411 and 75-5-412.

Enacted by Chapter 150, 1975 General Session