



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
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February 29, 2012

Mr. President:

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 116**, PROBATE CODE AMENDMENTS, by Representative V. L. Snow, with the following amendments:

1. *Page 6, Lines 155 through 162:*

- 155 (3) The legal representation of the incapacitated person by an attorney shall terminate
156 upon the appointment of a guardian, unless:
157 (a) there are separate conservatorship proceedings pending before the court;
158 (b) the appointed guardian elects at the time to maintain the attorney's representation
 of
159 the incapacitated person;
160 (c) there is a timely filed appeal of the appointment of the guardian or the
161 determination of incapacity; or
162 (d) **upon an express finding of good cause,** the court orders otherwise.

2. *Page 8, Lines 216 through 223:*

- 216 (3) The legal representation of the protected person by an attorney shall terminate
 upon
217 the appointment of a conservator, unless:
218 (a) there are separate guardianship proceedings pending before the court;
219 (b) the appointed conservator elects at the time to maintain the attorney's

Bill Number



HB0116

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representation

220 of the protected person;

221 (c) there is a timely filed appeal of the appointment of the conservator or the

222 determination of the incapacity; or

223 (d) **upon an express finding of good cause,** the court orders otherwise.

Respectfully,

Mark B. Madsen
Committee Chair

Voting: 3-0-4

3 HB0116.SC1.WPD nbrady/NWB ECM/JDH 2/29/12 8:12 pm

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Action Class



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