

H.B. 116

PROBATE CODE AMENDMENTS

SENATE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 21, 2012 7:13 PM

Senator **Todd Weiler** proposes 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 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.