

# ASSEMBLY AGING AND SENIOR SERVICES COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 5132

# STATE OF NEW JERSEY

DATED: MAY 18, 2023

The Assembly Aging and Senior Services Committee reports favorably and with committee amendments Assembly Bill No. 5132.

This bill revises the duty of professional guardians to meet with and report on the status of an incapacitated ward. At present, persons appointed guardian of the person of a ward, including persons appointed to serve as registered professional guardians, have an obligation to visit the ward and to maintain sufficient contact with the ward to know the ward's capacities, limitations, needs, opportunities and physical and mental health. N.J.S.A.3B:12-57 provides general rules for guardians, which include that the guardian personally visit the ward not less than once every three months, or as deemed appropriate by the court, and otherwise maintain sufficient contact with the ward to know the ward's capacities, limitations, needs, opportunities and physical and mental health. This bill would require a registered professional guardian, who is compensated for guardianship services, to personally meet with the ward not less than once every three weeks, or as deemed appropriate by the court.

The bill further provides that a family member of the ward may, upon motion to the Court, request a report be prepared by a registered professional guardian concerning the condition of the ward and the condition of the ward's estate which has been subject to the guardian's possession or control as ordered by the court.

#### COMMITTEE AMENDMENTS

The committee amendments remove gender specific pronouns and make changes to syntax.