FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

A JOINT MEMORIAL

REQUESTING THE OFFICE OF THE ATTORNEY GENERAL TO CREATE A TASK FORCE TO REVIEW POLICIES AND STATUTES REGARDING GUARDIANSHIP AND CONSERVATORSHIP SERVICES.

WHEREAS, guardianship and conservatorship services in the state are available for persons eighteen years of age and older who are decisionally incapacitated; and

WHEREAS, a review of existing policies, procedures and regulations pertaining to guardianship and conservatorship services is necessary to ensure quality, cost-effectiveness and accountability; and

WHEREAS, a review of the Uniform Probate Code pertaining to guardianship and conservatorship services is necessary in determining the best practices for guardianship services; and

WHEREAS, representation of all parties interested in

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1   guardianship and conservatorship services should be included

2   in a discussion of policies, procedures, rules and existing

3   statutory law regarding those services to formulate

4   recommendations to improve the quality, cost-effectiveness and

5   accountability of guardianship and conservatorship services

6   available in the state of New Mexico;

7   NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE

8   STATE OF NEW MEXICO that the office of the attorney general be

9   requested to form a task force and coordinate a study to

10   review and recommend revisions to policies, procedures and

11   rules pertaining to guardianship and conservatorship services

12   and to suggest statutory changes to reflect those revisions;

13   and

14   BE IT FURTHER RESOLVED that the task force consist of

15   family members of persons in need of guardianship or

16   conservatorship services; community-based providers of

17   developmental disability, mental health and aging services;

18   the elder law section of the New Mexico bar association;

19   advocacy organizations; the department of health; the human

20   services department; the children, youth and families

21   department; the state agency on aging; the administrative

22   office of the courts; and providers of guardianship and

23   conservatorship services; and

24   BE IT FURTHER RESOLVED that the office of the attorney

25   general report its findings and recommendations, if any, to

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1   the appropriate legislative interim committee prior to the

2   second session of the forty-fourth legislature; and

3   BE IT FURTHER RESOLVED that copies of this memorial be

4   sent to the attorney general; the secretary of health; the

5   secretary of human services; the secretary of children, youth

6   and families; the director of the state agency on aging; and

7   the director of the administrative office of the courts.

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FORTY-FOURTH LEGISLATURE

FIRST SESSION, 1999

February 18, 1999

Mr. President:

Your **RULES COMMITTEE**, to whom has been referred

SENATE JOINT MEMORIAL 25

has had it under consideration and reports same with

recommendation that it **DO PASS**, and thence referred to the

JUDICIARY COMMITTEE.

Respectfully submitted,

_____

Gloria Howes, Co-Chair

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1   Adopted_____ Not

2   Adopted_____

3   (Chief Clerk)   (Chief Clerk)

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6   Date _____

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9   The roll call vote was 7 For 0 Against

10   Yes: 7

11   No: 0

12   Excused: Altamirano

13   Absent: None

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FORTY-FOURTH LEGISLATURE

FIRST SESSION, 1999   **SJM 25/a**

March 6, 1999

Mr. President:

    Your **JUDICIARY COMMITTEE**, to whom has been referred

SENATE JOINT MEMORIAL 25

has had it under consideration and reports same with

recommendation that it **DO PASS**, amended as follows:

    1.   On page 1, line 12, after "GUARDIANSHIP" insert a

comma, and on line 13, strike "and" and after "CONSERVATORSHIP"

insert "AND TREATMENT GUARDIAN".

    2.   On page 1, line 15, after "guardianship" insert a

comma, strike "and" and after "conservatorship" insert "and

treatment guardian".

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SJC/SJM 25   Page 7

    3.   On page 1, line 19, after "guardianship" insert a comma, strike "and" and after "conservatorship" insert "and treatment guardian".

    4.   On page 1, line 23, after "guardianship" insert a comma, strike "and" and after "conservatorship" insert "and treatment guardian".

    5.   On page 1, line 24, after "guardianship" insert "and treatment guardian".

    6.   On page 2, line 1, after "guardianship" insert a comma, strike "and" and after "conservatorship" insert "and treatment guardian".

    7.   On page 2, line 5, after "guardianship" insert a comma, strike "and" and after "conservatorship" insert "and treatment guardian".

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SJC/SJM 25   Page 8

     8.   On page 2, line 11, after "guardianship" insert a comma, strike "and" and after "conservatorship" insert "and treatment guardian".

     9.   On page 2, line 15, after "guardianship" insert a comma, strike "or" and on line 16, after "conservatorship" insert "or treatment guardian".

     10.   On page 2, line 22, after "guardianship" insert a comma, strike "and" and on line 23, after "conservatorship" insert "and treatment guardian".

                              Respectfully submitted,

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                              Michael S. Sanchez, Chairman

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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

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3   SJC/SJM 25   Page 9

4   Adopted_____ Not

5   Adopted_____

6   (Chief Clerk)   (Chief Clerk)

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9   Date _____

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12   The roll call vote was 6 For 1 Against

13   Yes: 6

14   No: Davis

15   Excused: Payne

16   Absent: None

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FORTY-FOURTH LEGISLATURE

FIRST SESSION, 1999

March 15, 1999

Mr. Speaker:

Your **JUDICIARY COMMITTEE,** to whom has been referred

SENATE JOINT MEMORIAL 25, as amended

has had it under consideration and reports same with
recommendation that it **DO PASS.**

Respectfully submitted,

_____

R. David Pederson, Chairman

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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

Adopted _____   Not Adopted _____
        (Chief Clerk)   (Chief Clerk)

                        Date _____

The roll call vote was 6 For 0 Against

Yes: 6

Excused: Godbey, Luna, Martinez, Stewart, Thompson, Sanchez

Absent: None

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