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Testimony of
Representative Chris Lyddy, 106th District
February 28, 2011

In Support of HB 6440, An Act Concerning Applications for Guardianship
of an Adult with Intellectual Disabilities and Statutory Changes Related to
Intellectual Disabilities

Good morning Representative Fox, Senator Coleman and Members of the Judiciary
Committee,

I want to thank the Committee for raising HB 6440, An Act Concerning Applications for
Guardianship of an Adult with Intellectual Disabilities and Statutory Changes Related to
Intellectual Disabilities.

This bill makes important changes to the statutes in regards to guardianship for
individuals with intellectual disabilities. It is a concern that was brought to my attention
by a constituent of mine, Mr. Rich Stein, after he went through the guardianship process
with his son. After conversations with the Probate Court System, I understand that his
concerns and frustrations are evident across the state, and strongly believe that these
changes are necessary and important.

When The Stein's autistic son was about 17-1/2, his parents went to the local Probate
Court to begin the process of guardianship. They were told that they could have the form
but it couldn't be submitted until his 18th birthday. When they asked how long the
process would take from that point, they were told 3-4 months. When they asked what
would happen if their son was in the Emergency Room during that time, where he would
be unable to direct his own care and the hospital would be unable to inform them that he
was there, they were told "that we try not to worry about things like that!"

This change in statute will ensure we don't need to worry, rather than trying not to!

By starting the process 6 months earlier, we ensure that the guardianship process is completed by the 18th birthday so that there is no gap in guardianship. It is an essential change to ensure that adults with intellectual disabilities are taken care of.

I appreciate The Steins bringing this concern to my attention, and have worked closely with the Probate Court to ensure these changes address the concern in an appropriate way. I urge the Judiciary Committee's favorable report on this bill, and would be happy to answer any questions.