

Department of Planning and Budget 2021 Special Session I Fiscal Impact Statement

1. Bill Number: SB1184S1

House of Origin ☐ Introduced ☒ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Deeds

3. Committee: House Committee for Courts of Justice

4. Title: Standby guardianship

5. Summary: The proposed bill adds the detention, incarceration, or deportation of a parent to the list of triggering events for which a parent may designate a standby guardian to be appointed for the care of the parent's minor child.

6. Budget Amendment Necessary: Indeterminate. See Line 8.

7. Fiscal Impact Estimates: Preliminary (see Line 8)

8. Fiscal Implications: Currently, the standby guardianship statutes (Va. Code §§ 16.1-349 through 16.1-355) provide a process by which a qualified parent (defined in § 16.1-349 as a parent who has a progressive or chronic condition caused by injury, disease or illness from which it is improbable they will recover) can petition the court to appoint a standby guardian to temporarily assume the duties of guardian of a minor child on behalf of or in conjunction with the qualified parent upon the occurrence of a triggering event. Qualified parents may also designate a standby guardian in writing outside of the court process but the standby guardian is required to file a petition with the court for approval of the designation after the triggering event has occurred.

According to the Office of the Executive Secretary of the Supreme Court (OES), the substitute bill will likely impact the dockets of juvenile and domestic relations district courts. However, the fiscal impact is indeterminate.

9. Specific Agency or Political Subdivisions Affected: Courts

10. Technical Amendment Necessary: No

11. Other Comments: None