

1997 SESSION

INTRODUCED

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SENATE JOINT RESOLUTION NO. 306

Offered January 20, 1997

Establishing a joint subcommittee to study the need to provide for standby guardians for children whose parents are terminally ill.

Patron—Earley

Referred to the Committee on Rules

WHEREAS, numerous studies suggest that children who survive their parents' deaths experience trauma and grief, which is exacerbated when less than adequate substitute care is provided for the child; and

WHEREAS, failure to provide adequate substitute care results in an increased risk that the child will suffer from psychological disorders, particularly depression, when faced with stress; and

WHEREAS, many parents facing imminent death wish to make guardianship arrangements for their children before they die or before illness or disease renders them incapable of participating in these decisions; and

WHEREAS, in recognition of the desires of these parents, several states, such as New York and Illinois, have enacted or have under consideration legislation which authorizes creation of a guardianship, in advance, allowing the parent to participate in the selection and appointment process and ensuring that a care-giver will be available to the child immediately upon the parent's death; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to study the need to provide for standby guardians for children whose parents are terminally ill. The joint subcommittee shall be composed of seven members, as follows: three members of the Senate, to be appointed by the Senate Committee on Privileges and Elections; and four members of the House of Delegates, to be appointed by the Speaker;

The direct costs of this study shall not exceed \$5,250.

The Division of Legislative Services shall provide staff support for the study. All agencies of the Commonwealth shall provide assistance to the joint subcommittee, upon request.

The joint subcommittee shall complete its work in time to submit its findings and recommendations to the Governor and the 1998 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

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