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1   **SENATE JOINT RESOLUTION NO. 306**
2   AMENDMENT IN THE NATURE OF A SUBSTITUTE
3   (Proposed by the Senate Committee on Rules
4   on February 3, 1997)
5   (Patron Prior to Substitute—Senator Earley)
6 *Directing the Virginia Commission on Youth to study the need to provide for standby guardians for*
7   *children whose parents are terminally ill.*
8   WHEREAS, numerous studies suggest that children who survive their parents' deaths experience
9 trauma and grief, which are exacerbated when less than adequate substitute care is provided for the
10 child; and
11   WHEREAS, failure to provide adequate substitute care increases the risk that the child will suffer
12 from psychological disorders, particularly depression, when faced with stress; and
13   WHEREAS, many parents facing imminent death wish to make guardianship arrangements for their
14 children before they die or before illness or disease renders them incapable of participating in these
15 decisions; and
16   WHEREAS, in recognition of the desires of these parents, several states, such as New York and
17 Illinois, have enacted or have under consideration legislation which authorizes creation of a
18 guardianship, in advance, allowing the parent to participate in the selection and appointment process and
19 ensuring that a care-giver will be available to the child immediately upon the parent's death; now,
20 therefore, be it
21   RESOLVED by the Senate, the House of Delegates concurring, That the Virginia Commission on
22 Youth be directed to study the need to provide for standby guardians for children whose parents are
23 terminally ill.
24   All agencies of the Commonwealth shall provide assistance to the Commission, upon request.
25   The Commission shall complete its work in time to submit its findings and recommendations to the
26 Governor and the 1998 Session of the General Assembly as provided in the procedures of the Division
27 of Legislative Automated Systems for the processing of legislative documents.