

On page 1, line 8, of the Introduced bill, after "the " delete "protected "

On page 1, line 8, of the Introduced bill, after "person" insert " alleged to be in need of protection"

On page 1, line 8, of the Introduced bill, delete "may" and insert "must"

On page 1, line 10, of the Introduced bill, after "person." insert " If a person designated under a validly executed power of attorney by the person alleged to be in need of protection is not appointed as the guardian or conservator, the court must issue written findings of facts and conclusions of law as to why the designated person was not appointed."

On page 1, after line 19, of the Introduced bill, insert: "

**Section 2. That § 29A-5-309 be AMENDED:**

**29A-5-309.** The court shall appoint an attorney for the person alleged to need protection, either upon the filing of the petition or at any time thereafter, if requested by the person alleged to need protection, if the person expresses a desire to contest the petition, or if the court determines that an appointment is otherwise needed to protect the person's interests. In appointing an attorney, the court shall consider any known preferences of the person alleged to need protection.

If the person alleged to need protection is not or will not be represented by an attorney, the court shall either appoint a court representative to make an investigation and recommendation concerning the relief requested in the petition, or shall order the person alleged to need protection to attend the hearing on the petition.

If the basis of the petition is that the person alleged to need protection is an absentee, the court shall appoint an attorney if the court determines that an appointment is needed to protect the person's interests, but the court need not appoint a court representative or order attendance at the hearing.

A person alleged to need protection who is contesting a petition may have an evaluation done by a physician, psychologist, or psychiatrist of the person's choice, which must be included in the file and considered by the court."

On page 3, line 1, of the Introduced bill, after "vocational" insert the comma

On page 3, line 6, of the Introduced bill, after "behalf;

(5)" insert "A statement indicating whether or not the protected person has made any statements or indications to the guardian, or any other person who has informed the guardian, that the protected person does not want the guardianship to continue, or that the protected person wants a different guardian to be appointed;

(6) "

On page 3, line 8, of the Introduced bill, delete "(6)" and insert "(7)"

On page 3, line 10, of the Introduced bill, delete "(7)" and insert "(8)"

On page 3, line 12, of the Introduced bill, delete "(8)" and insert "(9)"

On page 3, line 14, of the Introduced bill, delete "(9)" and insert "(10)"

On page 3, line 22, of the Introduced bill, after "appointments." insert "

If the report indicates that the protected person wants to have the guardianship ended, or wants to have another person to serve as the guardian, the court must determine if a hearing is necessary, based on the totality of the circumstances, including whether or not a hearing has previously been held on the same issue."

On page 5, line 1, of the Introduced bill, after "period;

(5)" insert "A statement indicating whether or not the protected person has made any statements or indications to the conservator, or any other person who has informed the conservator, that the protected person does not want the conservatorship to continue, or that the protected person wants a different conservator to be appointed.

(6) "

On page 5, line 3, of the Introduced bill, delete "(6)" and insert "(7)"

On page 5, line 5, of the Introduced bill, delete "(7)" and insert "(8)"

On page 5, line 7, of the Introduced bill, delete "(8)" and insert "(9)"

On page 5, line 10, of the Introduced bill, delete "(9)" and insert "(10)"

On page 5, line 23, of the Introduced bill, after "account." insert "

If the report indicates that the protected person wants to have conservatorship ended, or wants to have another person serve as the conservator, the court must determine if a hearing is necessary, based on the totality of the circumstances, including whether or not a hearing has previously been held on the same issue."

On page 5, line 25, of the Introduced bill, delete "An" and insert "The court must grant an"

On page 5, line 25, of the Introduced bill, after "party " delete "must have "

On page 5, line 25, of the Introduced bill, after "to " insert "some or all of a protected person's "

On page 5, line 25, of the Introduced bill, after "records " delete "of the protected person. The court must grant access "

On page 5, line 26, of the Introduced bill, after "if" insert ", on the motion of the interested party,"