

HOUSE No. 1578

By Mr. Linsky of Natick, petition of David Paul Linsky and others relative to further regulating the appointment of certain guardians by the Probate Court. The Judiciary.

The Commonwealth of Massachusetts

PETITION OF:

| | |
|------------------------|---------------------|
| David Paul Linsky | Michael E. Festa |
| Michael F. Rush | Alice Hanlon Peisch |
| J. James Marzilli, Jr. | Karen E. Spilka |

In the Year Two Thousand and Seven.

AN ACT FURTHER REGULATING THE APPOINTMENT OF CERTAIN GUARDIANS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 201 of the General Laws is hereby amended by inserting
2 the following section:—
3 Section 6C. In appointing a guardian for a person eighteen years
4 of age or older under the provisions of sections six, six A or six B,
5 the parent or parents of such person shall be presumed to be the
6 proper person or persons to be appointed by the court. Such
7 presumption may be rebutted by the introduction of competent
8 evidence. A parent or parents wishing to designate a third party to
9 serve as guardian of such person may freely elect to do so without
10 prejudice. In such instances, the party so designated shall be
11 presumed to be the proper person to be appointed by the court. Such
12 presumption may be rebutted by the introduction of competent
13 evidence.