

To: Professor Sean Kealy
From: Rose Collins
Date: May 13, 2022
Re: Legislative History for H.4924 (2019-2020 Session)

The bill I researched was An Act to Promote the Well-Being of Minor Children Living with Guardians (Bill H.4924, 191st (2019-2020)). My first step in my research was looking at the session law of the bill, Chapter 339 of the Acts of 2020. The session law amended Section 5-212 of part 2 of article V of chapter 190B of the General Laws to provide for counsel in hearings to remove guardianship of a minor for guardians that have cared for the minor for at least two years or a “significant period of time during the child’s lifetime,” including time spent during or prior to their official guardianship. After looking at the Session Law, I went to malegislature.gov to look at the session law in bill form. I found that the bill had been introduced as H.1396 by Representative Paul Donato of Medford in 2019 and as supported by both the House Ways and Means and Joint Committee on the Judiciary. In July 2020, the House substituted the bill with a new draft, H.4924, where it was supported by the previous committees, as well as the Senate Ways and Means committee, and signed into law. I also noticed that this bill had been introduced by Rep. Donato and Senator Patricia D. Jehlen in the 190th Session as H.2274. It was placed into the Judiciary Committee and then subsequently packaged as a study order in Order H.4701, where it died for the session.

I then went to the MassTrac database where I began with H.4924. There was not any testimony or votes available on the bill, however there was a tool to compare it to H.1396, which I’ve included in the procedural history folder. I then checked out the page for H.1396, where there was again, no votes. However, there was one piece of testimony from the legislative

sponsor, but that was it. I did have better luck when I looked through the history of H.2274, where I found the testimony of five individuals.

Given that there was very little information available about any of these pieces of legislation, I reached out to staff at House Ways and Means, Senate Ways and Means, the Joint Judiciary Committee, and Rep. Donato's office. Jacob Blanton at Senate Ways and Means was the only one to respond with information, however he only had the bill summary and a copy of the case that sparked the need for this legislation, *Guardianship of K.N.* I did hear back from David Emer in Senator Eldridge's office, where I was told that, "Senator Eldridge supports applying the public records law to the Legislature. That would make all the materials you requested available to you. Unfortunately, that is not the current practice," and it was suggested that I contact the sponsoring office.

I then checked Legiscan for all four of the bills and was unable to find anything that I did not already have. I also looked it up on WestLaw and Lexis+ and did not find anything new there either.

I finished my research with a google search of the bills, where there were limited results. I found five results talking about the bill. Three of these were news articles where the bill was briefly mentioned as being signed by the Governor or passed by the Legislature. However, the Massachusetts Department of Children and Families mentioned it on page 124 of their annual report, calling it a "legislative victory" and mentioning that it took several years of advocacy to get it passed. Additionally, a memo from the Commission on the Status of Grandparents Raising Grandchildren celebrates the passage of the bill and informs their mailing list of their new right to counsel.

I believe that there are more documents on this bill out there and that the legislative staff just has not been able to provide it. I hope that in the coming days they will send it to me and, if not, that individuals will be able to reach out to these staffers to learn more about the bill's history.