

HOUSE No. 4924

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 31, 2020.

The committee on Ways and Means, to whom was referred the Bill to promote the well-being of minor children living with guardians (House, No. 1396), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4924).

For the committee,

AARON MICHLEWITZ.

FILED ON: 7/31/2020

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to promote the well-being of minor children living with 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 Section 5-212 of chapter 190B of the General Laws, as appearing in the 2018 Official
2 Edition, is hereby amended by adding the following subsection:-

3 (d) For proceedings pursuant to a petition to remove a guardian of a minor child, the
4 guardian shall have the right to counsel; provided, however, that the court shall make a
5 determination that the guardian has been the primary caretaker for the child for at least 2 years or
6 for an otherwise significant period of time during the child’s lifetime. This period of time may
7 include caretaking provided during or prior to the guardianship. The court shall inform a
8 guardian of the right to counsel pursuant to this subsection and shall appoint counsel if the
9 guardian satisfies the requirements for indigency pursuant to section 2A of chapter 211D.