

First Supplement to Memorandum 2014-2

2014 Legislative Program (Status Update)

On February 4, Senator Hannah-Beth Jackson introduced Senate Bill 940, which would implement the Commission's recommendation relating to the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act ("UAGPPJA").¹ Senator Jackson is the Chair of the Senate Committee on Judiciary.

The staff has also learned that AARP plans to write a letter in support of the bill. In addition, Blanca Castro (Advocacy Director of AARP's California State Office) sent a letter to the Executive Director of the Commission, which is attached as an Exhibit. On behalf of AARP, Ms. Castro thanks the Commission for studying UAGPPJA. She also states that "AARP strongly supports the creation of the UAGPPJA in California to provide uniformity and to reduce jurisdictional conflicts with other states."

Respectfully submitted,

Barbara Gaal
Chief Deputy Counsel

¹. Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission's website (www.clrc.ca.gov). Other materials can be obtained by contacting the Commission's staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.



Real Possibilities

February 4, 2014

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Brian Hebert
Executive Director
California Law Revision Commission
4000 Middlefield Road, Room D-2
Palo Alto, CA 94303

Dear Mr. Hebert:

AARP would like to thank the California Law Revision Commission (CLRC) studying the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act (UAGPPJA). On behalf of our 3.1 million California members, AARP strongly supports the creation of the UAGPPJA in California to provide uniformity and to reduce jurisdictional conflicts with other states. The Act will also help save time and money for guardians and conservators, allowing them to make important decisions for their loved ones as quickly as possible.

The population of the United States is rapidly aging. At the same time, many older Californians own property or conduct business in other states, often spending time in multiple locations. Adopting the UAGPPJA will ensure that California has a law in place to address several critical issues that frequently arise with this elderly, vulnerable population, including:

- Initial jurisdiction over a conservatorship case;
- Recognition of one state's guardianship/conservatorship orders by another; and
- Interstate transfers of guardianship cases when such transfers would benefit the incapacitated person.

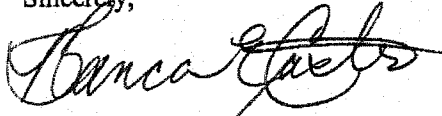
AARP has supported the thirty-seven states, Puerto Rico, and the District of Columbia efforts in their enactment of UAGPPJA, and we look forward to working with the Commission to enact the law in California.

Another key reason AARP supports the California law Revisions' modified version of UAGPPJA is because it reduces the incidences of elder abuse. The California Conservatorship Jurisdiction Act as it will be known in California will prevent someone who wrongfully seeks control and assets of an elderly adult from transporting that person across state lines and immediately being named their guardian/conservator. It also allows a court to decline jurisdiction because of unjustifiable conduct and to penalize the perpetrators of such conduct. Many families across the United States are struggling to provide care for an adult family member who is unable to attend to his or her own needs. UAGPPJA is designed to help families deal with a conservatorship situation that spans state lines.

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AARP appreciates the hard work and magnitude of the CLCR's undertaking in studying UGAPPJA and producing final recommendations to enact UAGPPJA in California with some modification to protect California policies and ensure that legislation will work smoothly in California.

Sincerely,



Blanca E. Castro
Advocacy Director
AARP - California State Office

cc: Barbara S, Gaal, Chief Deputy Counsel
Damian Dominick Capozzola, Chairperson