§5-712. Individuals subject to guardianship; guardian ad litem costs

1. Guardian ad litem, other special costs. The costs of the guardian ad litem or any other special costs may be paid by the Department of Health and Human Services, within the limits of the department's budget, when:

A. A person is in need of protective services and:

(1) A guardian ad litem is appointed under the provisions of this Code; or

(2) A court incurs special costs in a proceeding concerning the person; and [PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]

B. Appointment of a public guardian or conservator is sought or the person, within 3 months prior to the filing of the petition:

(1) Is or has been a client of the Department of Health and Human Services; or

(2) Has received services from a worker from the Department of Health and Human Services. [PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]

[PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]

2. Payment of costs. The Department of Health and Human Services is not liable for the costs set out in subsection 1 if the department can demonstrate that the person has assets against which the costs may be assessed or that another more appropriate funding source is available and subject to the court's jurisdiction.

[PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]

SECTION HISTORY

PL 2017, c. 402, Pt. A, §2 (NEW). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

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