

TIM HENNESSEY, MEMBER

- 209 RYAN OFFICE BUILDING
PO BOX 202026
HARRISBURG, PA 17120-2026
PHONE: (717) 787-3431
FAX: (717) 705-1849
 - DISTRICT OFFICES:
1038 EAST LINCOLN HIGHWAY
COATESVILLE, PA 19320
PHONE: (610) 380-8600
FAX: (610) 380-1777
 - OLD ELVERSON TRAIN STATION
P.O. BOX 255
ELVERSON, PA 19520
PHONE: (610) 286-9194
FAX: (610) 286-1922
- (610) 326-2626 POTTSTOWN
thennes@pahousegop.com



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

AGING AND OLDER ADULT SERVICES
Republican Chairman

CONSUMER AFFAIRS
POLICY

Memorandum

To: All Members of the House of Representatives

From: Representative Tim Hennessey *TH*

Subject: Co-sponsorship – Adult Guardianship and Protective Proceedings Jurisdiction Act

Date: April 7, 2010

In my position as Majority Chairman of the House Aging and Older Adult Services Committee, I am pleased to introduce the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act legislation. This legislation was drafted by the National Conference of Commissioners on Uniform State Laws in 2007 and has already been adopted in 18 states.

The UAGPPJA addresses the issue of jurisdiction over adult guardianships, conservatorships, and other protective proceedings. The objective of the new act is to ensure that only one state has jurisdiction at any one time. The act contains specific guidelines to specify which court has jurisdiction to appoint a guardian or conservator for an incapacitated adult. The act does this by prioritizing the states which might claim jurisdiction.

The state with primary jurisdiction is the “home state,” defined as the state in which the adult has lived for at least six consecutive months immediately before the beginning of the adult guardianship or protective proceeding. The second is the “significant-connection state,” which is broadly defined to include the location of the individual’s family, a state where the individual might have lived for many years, or the state where the individual’s property is located. The act provides that once a court has jurisdiction, this jurisdiction continues until the proceeding is terminated or transferred.

Given Pennsylvania’s aging demographic and the strong connections between guardianship and elder abuse, I believe Pennsylvania should adopt this Uniform Act. If you would like to co-sponsor this legislation, please notify my office by e-mail to wkeiser@pahousegop.com or cturner@pahousegop.com or call at 787-3431.

TH/wlk