



SENATOR JESSE KIEHL

SB 190: Uniform Act: Guardianship/Conservatorship

34-LS0496\A

Sponsor Statement

Guardianships and conservatorships are vital tools to protect Alaskans unable to meet their own basic needs for health, safety, or self-care. These legal arrangements assign responsibility for managing personal and/or financial affairs to someone else. Because they limit a person's autonomy, our laws must prioritize an individual's rights, dignity, and well-being.

Alaska's current guardianship laws are strong, but they're rooted in model legislation from the 1980s. In the decades since, the Uniform Law Commission worked with stakeholders to develop a new model act that does a better job of emphasizing individual rights and helping prevent abuse of the trust placed in guardians and conservators.

Senate Bill 190 moves Alaska's guardianship and conservatorship laws to the new Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act, updating standards for both minors and adults. It creates a new category—other protective arrangements—so individuals get only the support they need, in the least restrictive way. The bill also replaces outdated language more suited to a Charles Dickens novel than to 21st-century America, with respectful terms. It also shifts the basis for protective appointments from a specific medical diagnosis to a more nuanced, functional assessment of a person's ability to meet their own needs.

SB 190 strengthens the entire process by increasing transparency and notice, refining court disclosures and reporting, and clarifying the roles of family members, guardians *ad litem*, attorneys, and court visitors. Its default provisions protect the rights and preferences of the individual, while giving courts the flexibility to act in their best interests. The bill also imposes limits on the use and duration of emergency guardianships to promote certainty and stability, and it reinforces guardianship planning so supports can evolve as individuals' needs change over time.

May 14, 2025

34-LS0496\A

ALASKA SENATE

STATE CAPITOL • JUNEAU, ALASKA 99801 • (907) 465-4947 • FAX (907) 465-2108

SENATOR.JESSE.KIEHL@AKLEG.GOV