

---

**By: Delegate Montague**

Introduced and read first time: February 8, 1996

Assigned to: Judiciary

---

A BILL ENTITLED

1 AN ACT concerning

2 **Estates and Trusts - Standby Guardian**

3 FOR the purpose of altering the judicial appointment and parental designation  
4 procedures of a standby guardian of the person or property of a minor child of a  
5 parent for whom there is a significant risk of dying or becoming incapacitated within  
6 a certain period; requiring that notice be given to certain persons of a petition for  
7 the appointment or designation of a standby guardian; requiring that certain  
8 reasonable efforts be made to locate persons with parental rights or joint legal  
9 custody; providing for the challenge of the appointment or designation of a standby  
10 guardian; requiring that a court consider certain factors in deciding whether to  
11 appoint a standby guardian; altering certain forms for the designation of a standby  
12 guardian and for the consent to the designation of a standby guardian; defining  
13 certain terms; and generally relating to the appointment, designation, and  
14 effectiveness of a standby guardian.

15 BY repealing and reenacting, without amendments,  
16 Article - Estates and Trusts  
17 Section 13-901(a)  
18 Annotated Code of Maryland  
19 (1991 Replacement Volume and 1995 Supplement)

20 BY repealing and reenacting, with amendments,  
21 Article - Estates and Trusts  
22 Section 13-903(a) and (d)(1) and 13-904  
23 Annotated Code of Maryland  
24 (1991 Replacement Volume and 1995 Supplement)

25 BY adding to  
26 Article - Estates and Trusts  
27 Section 13-901(f) through (h) and 13-903(h) through (j)  
28 Annotated Code of Maryland  
29 (1991 Replacement Volume and 1995 Supplement)

30 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
31 MARYLAND, That the Laws of Maryland read as follows:



1 13-903.

2 (a) (1) Subject to the provisions of paragraphs (2) and (3) of this subsection, a  
3 petition for the judicial appointment of a standby guardian of the person or property of a  
4 minor under this section may be filed only by [a parent of the minor, and if filed, shall be  
5 joined by each person having parental rights over the minor]:

6 (I) A PERSON WHO HAS PARENTAL RIGHTS AND FOR A  
7 SIGNIFICANT PERIOD BEFORE THE ACTION IS COMMENCED HAS LIVED WITH THE  
8 MINOR IN THE SAME PRINCIPAL PLACE OF RESIDENCE, UNLESS THE PERSON HAS  
9 STAYED IN A HEALTH CARE FACILITY FOR A PROLONGED TIME BECAUSE OF  
10 ILLNESS; OR

11 (II) IF A PERSON WHO MEETS THE REQUIREMENTS OF ITEM (I) OF  
12 THIS PARAGRAPH IS NOT AVAILABLE:

13 1. A PERSON WHO HAS PARENTAL RIGHTS; OR

14 2. A PERSON WHO HAS A PARENT-CHILD RELATIONSHIP  
15 WITH THE MINOR FOR AT LEAST 6 MONTHS BEFORE THE PETITION IS FILED OR FOR  
16 THE MAJORITY OF THE MINOR'S LIFE IN THE SAME PRINCIPAL PLACE OF RESIDENCE  
17 AND WHO REGULARLY PERFORMED AT LEAST AN EQUAL SHARE OF THE  
18 PARENTING FUNCTIONS WITH THE PERMISSION OF A PERSON WITH PARENTAL  
19 RIGHTS AND WITHOUT THE EXPECTATION OF FINANCIAL COMPENSATION OTHER  
20 THAN FUNDS PAID BY A GOVERNMENTAL UNIT TO PAY FOR EXPENSES OF THE  
21 MINOR.

22 (2) THE PETITIONER SHALL, AT THE SAME TIME THE PETITION IS FILED,  
23 GIVE WRITTEN NOTICE OF THE PETITION TO EACH OTHER PERSON WHO HAS  
24 PARENTAL RIGHTS OVER THE MINOR.

25 (3) A PERSON WHO HAS PARENTAL RIGHTS MAY CHALLENGE THE  
26 PETITION IN ACCORDANCE WITH SUBSECTION (H) OF THIS SECTION.

27 [(2)] (4) (I) If a person who has parental rights OR JOINT LEGAL  
28 CUSTODY cannot be located after reasonable efforts have been made to locate the  
29 person, the [parent] PETITIONER may file a petition for the judicial appointment of a  
30 standby guardian WITHOUT GIVING NOTICE OF THE PETITION TO A PERSON WHO HAS  
31 PARENTAL RIGHTS OR WITHOUT THE CONSENT OF THE JOINT LEGAL CUSTODIAN.

32 (II) TO MAKE REASONABLE EFFORTS TO LOCATE THE PERSON  
33 UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE PETITIONER SHALL  
34 RESEARCH AT LEAST THREE OF THE FOLLOWING SOURCES OF INFORMATION:

35 1. THE PERSON'S LAST KNOWN ADDRESS;

36 2. THE UNITED STATES POSTAL SERVICE;

37 3. FAMILY MEMBERS AND FRIENDS OF THE PERSON;

38 4. THE PERSON'S LAST KNOWN PLACE OF EMPLOYMENT;

39 5. THE MOTOR VEHICLE ADMINISTRATION;

4

- 1                                 6. TELEPHONE DIRECTORIES;
- 2                                 7. CHILD SUPPORT AGENCIES;
- 3                                 8. PRISONS; AND
- 4                                 9. VOTING REGISTRATION RECORDS.

5                                 [(3)] (5) (I) If the petitioner submits documentation, satisfactory to the  
6 court, of the reasonable efforts to locate the person who has parental rights OR JOINT  
7 LEGAL CUSTODY, the court may issue a decree under this section REGARDLESS OF  
8 WHETHER THE PERSON WHO HAS PARENTAL RIGHTS HAS HAD AN OPPORTUNITY TO  
9 CHALLENGE THE GUARDIANSHIP DESIGNATION, OR REGARDLESS OF WHETHER  
10 THE JOINT LEGAL CUSTODIAN HAS JOINED THE PETITION.

11                                 (II) SATISFACTORY DOCUMENTATION SHALL INCLUDE AN  
12 AFFIDAVIT BY PETITIONER DESCRIBING:

- 13                                 1. THE EFFORTS MADE TO NOTIFY THE PERSON WITH  
14 PARENTAL RIGHTS OR THE JOINT LEGAL CUSTODIAN;
- 15                                 2. THE RESULTS OF SUCH EFFORTS; AND
- 16                                 3. ANY SPECIAL CIRCUMSTANCES SURROUNDING THE  
17 PARTICULAR CASE AFFECTING THE REASONABLENESS OF THE EFFORTS MADE.

18                                 (d) (1) If the court finds that there is a significant risk that the petitioner will  
19 become incapacitated or die within 2 years of the filing of the petition [and that the  
20 interests of the minor will be promoted by the appointment of a standby guardian of the  
21 person or property of the minor,] the court shall issue a decree accordingly.

22                                 (H) THE APPOINTMENT OF A STANDBY GUARDIAN MAY BE CHALLENGED BY  
23 A PERSON:

24                                 (1) WHO HAS PARENTAL RIGHTS AND FOR A SIGNIFICANT PERIOD  
25 BEFORE THE ACTION IS COMMENCED HAS LIVED WITH THE MINOR IN THE SAME  
26 PRINCIPAL PLACE OF RESIDENCE, UNLESS THE PERSON HAS STAYED IN A HEALTH  
27 CARE FACILITY FOR A PROLONGED TIME BECAUSE OF ILLNESS;

28                                 (2) WHO HAS PARENTAL RIGHTS; OR

29                                 (3) WHO:

30                                 (I) HAS A PARENT-CHILD RELATIONSHIP WITH THE MINOR FOR  
31 AT LEAST 6 MONTHS BEFORE THE PETITION IS FILED OR FOR THE MAJORITY OF THE  
32 MINOR'S LIFE IN THE SAME PRINCIPAL PLACE OF RESIDENCE; AND

33                                 (II) REGULARLY PERFORMED AT LEAST AN EQUAL SHARE OF THE  
34 PARENTING FUNCTIONS WITH THE PERMISSION OF A PERSON WITH PARENTAL  
35 RIGHTS AND WITHOUT THE EXPECTATION OF FINANCIAL COMPENSATION OTHER  
36 THAN FUNDS PAID BY A GOVERNMENTAL UNIT TO PAY FOR EXPENSES OF THE  
37 MINOR.

5

1 (I) (1) THE COURT SHALL SUSTAIN A CHALLENGE TO A STANDBY  
2 GUARDIAN PETITION IF IT IS NOT IN THE MINOR'S BEST INTEREST TO GRANT THE  
3 PETITION.

4 (2) THE FACTORS THAT THE COURT SHALL CONSIDER IN MAKING ITS  
5 DECISION INCLUDE:

6 (I) THE FITNESS OF THE PROPOSED GUARDIAN;

7 (II) THE RELATIONSHIP BETWEEN THE PROPOSED GUARDIAN AND  
8 THE MINOR;

9 (III) THE PAST AND PRESENT RELATIONSHIP OF THE CHALLENGER  
10 AND THE MINOR;

11 (IV) THE PREFERENCE OF THE MINOR IF THE MINOR IS OF  
12 SUITABLE AGE AND CAPACITY TO FORM A RATIONAL JUDGMENT;

13 (V) THE POTENTIAL DISRUPTION OF THE FAMILY, SOCIAL, AND  
14 SCHOOL LIFE OF THE MINOR;

15 (VI) THE SINCERITY OF THE CHALLENGER IN OBJECTING TO THE  
16 PROPOSED GUARDIANSHIP;

17 (VII) THE DEGREE TO WHICH THE CHALLENGER HAS CONTRIBUTED  
18 TO THE PHYSICAL CARE AND SUPPORT OF THE MINOR;

19 (VIII) OPPORTUNITIES AFFECTING THE FUTURE OF THE MINOR; AND

20 (IX) ANY ALTERNATIVE GUARDIANSHIP PLAN THAT THE  
21 CHALLENGER PRESENTS.

22 (J) THIS SECTION DOES NOT AFFECT THE RIGHT OF A PERSON TO SEEK A  
23 REMEDY PROVIDED UNDER ANY OTHER LAW.

24 13-904.

25 (A) IN THIS SECTION, "DESIGNATING PERSON" MEANS A PERSON:

26 (1) WHO DESIGNATES A STANDBY GUARDIAN; AND

27 (2) (I) WHO HAS PARENTAL RIGHTS AND FOR A SIGNIFICANT PERIOD  
28 BEFORE THE ACTION IS COMMENCED HAS LIVED WITH THE MINOR IN THE SAME  
29 PRINCIPAL PLACE OF RESIDENCE, UNLESS THE PERSON HAS STAYED IN A HEALTH  
30 CARE FACILITY FOR A PROLONGED TIME BECAUSE OF ILLNESS;

31 (II) WHO HAS PARENTAL RIGHTS; OR

32 (III) WHO:

33 1. HAS A PARENT-CHILD RELATIONSHIP WITH THE MINOR  
34 FOR AT LEAST 6 MONTHS BEFORE THE PETITION IS FILED OR FOR THE MAJORITY OF  
35 THE MINOR'S LIFE IN THE SAME PRINCIPAL PLACE OF RESIDENCE; AND



7

1 (You may, if you wish, provide that the standby guardian's authority shall extend  
2 only to the person, or only to the property, of your child, by crossing out "person" or  
3 "property", whichever is inapplicable, above.)

4 The standby guardian's authority shall take effect if and when either:

5 (1) I DIE;

6 [(1)] (2) My doctor concludes I am mentally incapacitated, and thus unable  
7 to care for my child(ren); or

8 [(2)] (3) My doctor concludes that I am physically debilitated, and thus  
9 unable to care for my child(ren) and I consent in writing, before two witnesses, to the  
10 standby guardian's authority taking effect.

11 If the person I designate above is unable or unwilling to act as guardian for my  
12 child(ren), I hereby designate (name, home address, and telephone number of alternate  
13 standby guardian), as standby guardian of my child(ren).

14 I also understand that my standby guardian's authority will cease 180 days after  
15 beginning unless by that date my standby guardian petitions the court for appointment as  
16 guardian.

17 I understand that I [retain full parental rights even after the beginning of the  
18 standby guardian's authority, and] may revoke the standby guardianship at any time.

19 [Parent's] DESIGNATING PERSON'S Signature: \_\_\_\_\_  
20 Address: \_\_\_\_\_  
21 Date: \_\_\_\_\_

22 I declare that the person whose name appears above signed this document in my  
23 presence, or was physically unable to sign and asked another to sign this document, who  
24 did so in my presence. I further declare that I am at least 18 years old and am not the  
25 person designated as standby guardian.

26 Witness's Signature: \_\_\_\_\_  
27 Address: \_\_\_\_\_  
28 Date: \_\_\_\_\_

29 Witness's Signature: \_\_\_\_\_  
30 Address: \_\_\_\_\_  
31 Date: \_\_\_\_\_

32 Standby Guardian's Signature: \_\_\_\_\_  
33 Address: \_\_\_\_\_  
34 Date: \_\_\_\_\_

35 [(4) A consent by another person with parental rights to a designation of a  
36 standby guardian by a parent may, but need not be, in the following form:

8

1 Consent to Designation of Standby Guardian

2 I (name of person with parental rights) agree with the designation by (name of  
3 parent) of (name, home address, and telephone number of standby guardian) as standby  
4 guardian of the person and property of my child(ren) (name of child(ren)).

5 I agree also to the terms stated above and understand that I retain full parental  
6 rights even after the beginning of the standby guardian's authority, and may revoke my  
7 consent to the standby guardianship at any time.

8 Signature of Person with Parental Rights: \_\_\_\_\_

9Address: \_\_\_\_\_

10 Date: \_\_\_\_\_

11 I declare that the person whose name appears above signed this document in my  
12 presence, or was physically unable to sign and asked another to sign this document, who  
13 did so in my presence. I further declare that I am at least 18 years old and am not the  
14 person designated as standby guardian.

15 Witness's Signature: \_\_\_\_\_

16 Address: \_\_\_\_\_

17 Date: \_\_\_\_\_

18 Witness's Signature: \_\_\_\_\_

19 Address: \_\_\_\_\_

20 Date: \_\_\_\_\_

21 Standby Guardian's Signature: \_\_\_\_\_

22Address: \_\_\_\_\_

23 Date: \_\_\_\_\_]

24 [(c)] (D) The authority of the standby guardian under a designation shall begin  
25 on:

26 (1) THE STANDBY GUARDIAN'S RECEIPT OF A COPY OF THE  
27 DESIGNATING PERSON'S DEATH CERTIFICATE;

28 [(1)] (2) The standby guardian's receipt of a copy of a determination of  
29 incapacity under § 13-906 of this subtitle; or

30 [(2)] (3) The standby guardian's receipt of:

31 (i) A copy of a determination of debilitation under § 13-906 of this  
32 subtitle;

33 (ii) A copy of the [parent's] DESIGNATING PERSON'S written  
34 consent to the beginning of the standby guardianship, signed by the [parent]  
35 DESIGNATING PERSON in the presence of two witnesses at least 18 years of age, neither  
36 of whom is the standby guardian, and signed by the standby guardian; and

37 (iii) A copy of the birth certificate for each child for whom the standby  
38 guardian is designated.

1 [(d)] (E) (1) If a parent is physically unable to sign a written consent to the  
2 beginning of the standby guardianship, another person may sign the written consent to  
3 the beginning of the standby guardianship on the parent's behalf and at the parent's  
4 direction.

5 (2) A consent under this subsection to the beginning of the standby  
6 guardianship shall be signed in the presence of the parent and two witnesses at least 18  
7 years of age, neither of whom may be the standby guardian.

8 (3) The standby guardian also shall sign a consent to the beginning of the  
9 standby guardianship under this subsection.

10 [(e)] (F) (1) A standby guardian shall file a petition for judicial appointment  
11 within 180 days of the date of the beginning of the standby guardianship under this  
12 section.

13 (2) A STANDBY GUARDIAN WHO FILES A PETITION SHALL GIVE  
14 WRITTEN NOTICE OF THE REQUEST FOR JUDICIAL APPOINTMENT TO EACH PERSON  
15 WHO HAS PARENTAL RIGHTS OVER THE MINOR.

16 (3) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (F)(3) AND (4)  
17 OF THIS SECTION, EACH PERSON WHO HAS PARENTAL RIGHTS MAY CHALLENGE  
18 THE PETITION IN ACCORDANCE WITH THIS SUBTITLE.

19 [(2)] (4) If the standby guardian fails to file the petition OR GIVE WRITTEN  
20 NOTICE OF THE PETITION TO EACH PERSON WHO HAS PARENTAL RIGHTS OVER THE  
21 MINOR within the time specified in this subsection, the standby guardian's authority shall  
22 terminate 180 days from the date of the beginning of the standby guardianship.

23 [(3)] (5) The standby guardian's authority shall begin again on the filing of  
24 the petition AND THE GIVING OF NOTICE.

25 [(f)] (G) (1) A standby guardian shall file a petition for appointment as  
26 guardian after receipt of:

27 (I) A COPY OF THE DESIGNATING PERSON'S DEATH CERTIFICATE;

28 [(i)] (II) A copy of a determination of incapacity made under § 13-906  
29 of this subtitle; or

30 [(ii)] (III) Copies of:

31 1. A determination of debilitation made under § 13-906 of this  
32 subtitle; and

33 2. The [parent's] DESIGNATING PERSON'S written consent to  
34 the beginning of the standby guardianship under this section.

35 (2) Subject to the provisions of paragraphs (3) and (4) of this subsection, the  
36 petition shall be accompanied by:

37 (i) The written designation of the standby guardian signed[, or  
38 consented to, by each person having parental rights over the child] BY THE  
39 DESIGNATING PERSON;

10

1 (ii) A copy of:

2 1. THE DESIGNATING PERSON'S DEATH CERTIFICATE;

3 [1.] 2. The determination of incapacity of the [parent]

4 DESIGNATING PERSON; or

5 [2.] 3. The determination of debilitation and the [parental]

6 consent BY PETITIONER to the beginning of the standby guardianship; [and]

7 (III) PROOF THAT EACH PERSON WITH PARENTAL RIGHTS WAS

8 SERVED WITH NOTICE OF THE STANDBY GUARDIAN'S REQUEST FOR JUDICIAL

9 APPOINTMENT AND INFORMED OF THE RIGHT TO CHALLENGE THE DESIGNATION;

10 AND

11 [(iii)] (IV) If the petition is filed by a person designated as alternate

12 standby guardian, a statement that the person designated as standby guardian is unwilling

13 or unable to act as standby guardian, and the basis for the statement.

14 (3) (I) If a person who has parental rights cannot be located after

15 reasonable efforts have been made to locate the person, the standby guardian may file a

16 petition under this section [without the consent of the person to the designation of the

17 standby guardian].

18 (II) TO MAKE REASONABLE EFFORTS TO LOCATE THE PERSON

19 UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE PETITIONER SHALL

20 RESEARCH AT LEAST THREE OF THE FOLLOWING SOURCES OF INFORMATION:

21 1. THE PERSON'S LAST KNOWN ADDRESS;

22 2. THE UNITED STATES POSTAL SERVICE;

23 3. FAMILY MEMBERS AND FRIENDS OF THE PERSON;

24 4. THE PERSON'S LAST KNOWN PLACE OF EMPLOYMENT;

25 5. THE MOTOR VEHICLE ADMINISTRATION;

26 6. TELEPHONE DIRECTORIES;

27 7. CHILD SUPPORT AGENCIES;

28 8. PRISONS; AND

29 9. VOTING REGISTRATION RECORDS.

30 (4) (I) If the standby guardian submits documentation, satisfactory to the

31 court, of the reasonable efforts to locate the person who has parental rights, the court

32 may appoint a standby guardian under this section REGARDLESS OF WHETHER THE

33 PERSON WHO HAS PARENTAL RIGHTS HAS HAD AN OPPORTUNITY TO CHALLENGE

34 THE GUARDIANSHIP DESIGNATION.

35 (II) SATISFACTORY DOCUMENTATION INCLUDES AN AFFIDAVIT BY

36 THE STANDBY GUARDIAN DESIGNEE DESCRIBING THE EFFORTS MADE TO NOTIFY

37 THE PERSON WITH PARENTAL RIGHTS, THE RESULTS OF THE EFFORTS, AND ANY

11

1 SPECIAL CIRCUMSTANCES SURROUNDING THE PARTICULAR CASE THAT AFFECTS  
2 THE REASONABLENESS OF THE EFFORTS MADE.

3 [(g)] (H) The court shall appoint a person to be a standby guardian under this  
4 section if the court finds that:

5 (1) The person was duly designated as standby guardian;

6 (2) A determination of incapacity, or a determination of debilitation and  
7 parental consent to the beginning of the standby guardianship, has been made under this  
8 section; AND

9 (3) [The interests of the minor will be promoted by the appointment of a  
10 standby guardian of the person or property of the minor; and

11 (4)] If the petition is by a person designated as alternate standby guardian,  
12 the person designated as standby guardian is unwilling or unable to act as standby  
13 guardian.

14 [(h)] (I) A [parent] DESIGNATING PERSON may revoke a standby guardianship  
15 created under this section:

16 (1) Before the filing of a petition, by notifying the standby guardian verbally  
17 or in writing or by any other act that is evidence of a specific intent to revoke the standby  
18 guardianship; and

19 (2) If a petition has been filed by:

20 (i) Executing a written revocation;

21 (ii) Filing the revocation with the court in which the petition was filed;  
22 and

23 (iii) Promptly notifying the standby guardian of the revocation.

24 [(i)] (J) A person who is judicially appointed as a standby guardian under this  
25 section may at any time before the beginning of the person's authority renounce the  
26 appointment by:

27 (1) Executing a written renunciation;

28 (2) Filing the renunciation with the court that issued the decree; and

29 (3) Promptly notifying in writing the parent of the revocation.

30 (K) THE APPOINTMENT OF A STANDBY GUARDIAN MAY BE CHALLENGED BY  
31 A PERSON:

32 (1) WHO HAS PARENTAL RIGHTS AND FOR A SIGNIFICANT PERIOD  
33 BEFORE THE ACTION IS COMMENCED HAS LIVED WITH THE MINOR IN THE SAME  
34 PRINCIPAL PLACE OF RESIDENCE, UNLESS THE PERSON HAS STAYED IN A HEALTH  
35 CARE FACILITY FOR A PROLONGED TIME BECAUSE OF ILLNESS;

36 (2) WHO HAS PARENTAL RIGHTS; OR

12

1 (3) WHO:

2 (I) HAS A PARENT-CHILD RELATIONSHIP WITH THE MINOR FOR  
3 AT LEAST 6 MONTHS BEFORE THE PETITION IS FILED OR FOR THE MAJORITY OF THE  
4 MINOR'S LIFE IN THE SAME PRINCIPAL PLACE OF RESIDENCE; AND

5 (II) REGULARLY PERFORMED AT LEAST AN EQUAL SHARE OF THE  
6 PARENTING FUNCTIONS WITH THE PERMISSION OF A PERSON WITH PARENTAL  
7 RIGHTS AND WITHOUT THE EXPECTATION OF FINANCIAL COMPENSATION OTHER  
8 THAN FUNDS PAID BY A GOVERNMENTAL UNIT TO PAY FOR EXPENSES OF THE  
9 MINOR.

10 (L) THE COURT SHALL SUSTAIN A CHALLENGE TO A STANDBY GUARDIAN  
11 PETITION IF IT IS NOT IN THE MINOR'S BEST INTEREST TO GRANT THE PETITION.  
12 THE FACTORS THAT THE COURT SHALL CONSIDER IN MAKING ITS DECISION  
13 INCLUDE:

14 (1) THE FITNESS OF THE PROPOSED GUARDIAN;

15 (2) THE RELATIONSHIP BETWEEN THE PROPOSED GUARDIAN AND THE  
16 MINOR;

17 (3) THE PAST AND PRESENT RELATIONSHIP OF THE CHALLENGER AND  
18 THE MINOR;

19 (4) THE PREFERENCE OF THE MINOR IF THE MINOR IS OF SUITABLE  
20 AGE AND CAPACITY TO FORM A RATIONAL JUDGMENT;

21 (5) THE POTENTIAL DISRUPTION OF THE FAMILY, SOCIAL, AND SCHOOL  
22 LIFE OF THE MINOR;

23 (6) THE SINCERITY OF THE CHALLENGER IN OBJECTING TO THE  
24 PROPOSED GUARDIANSHIP;

25 (7) THE DEGREE TO WHICH THE CHALLENGER HAS CONTRIBUTED TO  
26 THE PHYSICAL CARE AND SUPPORT OF THE MINOR;

27 (8) OPPORTUNITIES AFFECTING THE FUTURE OF THE MINOR; AND

28 (9) ANY ALTERNATIVE GUARDIANSHIP PLAN THAT THE CHALLENGER  
29 PRESENTS.

30 (M) THIS SECTION DOES NOT AFFECT THE RIGHT OF A PERSON TO SEEK A  
31 REMEDY PROVIDED UNDER ANY OTHER LAW.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 October 1, 1996.