

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

SENATE BILL 327

5 By: Senator D. Johnson
6
7

For An Act To Be Entitled

9 AN ACT TO ENACT THE UNIFORM ADULT GUARDIANSHIP
10 AND PROTECTIVE PROCEEDINGS JURISDICTION ACT; AND
11 FOR OTHER PURPOSES.
12

Subtitle

13 THE UNIFORM ADULT GUARDIANSHIP AND
14 PROTECTIVE PROCEEDINGS JURISDICTION ACT.
15
16
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. Arkansas Code Title 28 is amended to add an additional
21 chapter to read as follows:
22

23 CHAPTER 74 – UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS
24 JURISDICTION ACT
25

26 Subchapter 1 – General Provisions
27

28 28-74-101. Short title.

29 This chapter may be cited as the Uniform Adult Guardianship and
30 Protective Proceedings Jurisdiction Act.
31

32 28-74-102. Definitions.

33 In this chapter:

34 (1) “Adult” means an individual who has attained eighteen (18)
35 years of age.

36 (2) “Conservator” means a person appointed by the court to



1 administer the property of an adult, including a person appointed under § 28-
2 67-101 et seq.

3 (3) “Guardian” means a person appointed by the court to make
4 decisions regarding the person of an adult, including a person appointed
5 under § 28-65-101 et seq.

6 (4) “Guardianship order” means an order appointing a guardian.

7 (5) “Guardianship proceeding” means a judicial proceeding in
8 which an order for the appointment of a guardian is sought or has been
9 issued.

10 (6) “Incapacitated person” means an adult for whom a guardian
11 has been appointed.

12 (7) “Party” means the respondent, petitioner, guardian,
13 conservator, or any other person allowed by the court to participate in a
14 guardianship or protective proceeding.

15 (8) “Person,” except in the term incapacitated person or
16 protected person, means an individual, corporation, business trust, estate,
17 trust, partnership, limited liability company, association, joint venture,
18 public corporation, government or governmental subdivision, agency, or
19 instrumentality, or any other legal or commercial entity.

20 (9) “Protected person” means an adult for whom a protective
21 order has been issued.

22 (10) “Protective order” means an order appointing a conservator
23 or other order related to management of an adult’s property.

24 (11) “Protective proceeding” means a judicial proceeding in
25 which a protective order is sought or has been issued.

26 (12) “Record” means information that is inscribed on a tangible
27 medium or that is stored in an electronic or other medium and is retrievable
28 in perceivable form.

29 (13) “Respondent” means an adult for whom a protective order or
30 the appointment of a guardian is sought.

31 (14) “State” means a state of the United States, the District of
32 Columbia, Puerto Rico, the United States Virgin Islands, a federally
33 recognized Indian tribe, or any territory or insular possession subject to
34 the jurisdiction of the United States.

35
36 28-74-103. International application of chapter.

1 A court of this state may treat a foreign country as if it were a state
2 for the purpose of applying this chapter.

3
4 28-74-104. Communication between courts.

5 (a) A court of this state may communicate with a court in another
6 state concerning a proceeding arising under this chapter. The court may
7 allow the parties to participate in the communication. Except as otherwise
8 provided in subsection (b), the court shall make a record of the
9 communication. The record may be limited to the fact that the communication
10 occurred.

11 (b) Courts may communicate concerning schedules, calendars, court
12 records, and other administrative matters without making a record.

13
14 28-74-105. Cooperation between courts.

15 (a) In a guardianship or protective proceeding in this state, a court
16 of this state may request the appropriate court of another state to do any of
17 the following:

18 (1) hold an evidentiary hearing;

19 (2) order a person in that state to produce evidence or give
20 testimony pursuant to procedures of that state;

21 (3) order that an evaluation or assessment be made of the
22 respondent;

23 (4) order any appropriate investigation of a person involved in
24 a proceeding;

25 (5) forward to the court of this state a certified copy of the
26 transcript or other record of a hearing under paragraph (1) or any other
27 proceeding, any evidence otherwise produced under paragraph (2), and any
28 evaluation or assessment prepared in compliance with an order under paragraph
29 (3) or (4);

30 (6) issue any order necessary to assure the appearance in the
31 proceeding of a person whose presence is necessary for the court to make a
32 determination, including the respondent or the incapacitated or protected
33 person;

34 (7) issue an order authorizing the release of medical,
35 financial, criminal, or other relevant information in that state, including
36 protected health information as defined in 45 C.F.R. Section 164.504, as in

1 effect on January 1, 2009.

2 (b) If a court of another state in which a guardianship or protective
 3 proceeding is pending requests assistance of the kind provided in subsection
 4 (a), a court of this state has jurisdiction for the limited purpose of
 5 granting the request or making reasonable efforts to comply with the request.

6
 7 28-74-106. Taking testimony in another state.

8 (a) In a guardianship or protective proceeding, in addition to other
 9 procedures that may be available, testimony of a witness who is located in
 10 another state may be offered by deposition or other means allowable in this
 11 state for testimony taken in another state. The court on its own motion may
 12 order that the testimony of a witness be taken in another state and may
 13 prescribe the manner in which and the terms upon which the testimony is to be
 14 taken.

15 (b) In a guardianship or protective proceeding, a court in this state
 16 may permit a witness located in another state to be deposed or to testify by
 17 telephone or audiovisual or other electronic means. A court of this state
 18 shall cooperate with the court of the other state in designating an
 19 appropriate location for the deposition or testimony.

20 (c) Documentary evidence transmitted from another state to a court of
 21 this state by technological means that do not produce an original writing may
 22 not be excluded from evidence on an objection based on the best evidence
 23 rule.

24
 25 Subchapter 2 – Jurisdiction

26
 27 28-74-201. Definitions – Significant connection factors.

28 (a) In this subchapter:

29 (1) “Emergency” means a circumstance that likely will result in
 30 substantial harm to a respondent’s health, safety, or welfare, and for which
 31 the appointment of a guardian is necessary because no other person has
 32 authority and is willing to act on the respondent’s behalf;

33 (2) “Home state” means the state in which the respondent was
 34 physically present, including any period of temporary absence, for at least
 35 six consecutive months immediately before the filing of a petition for a
 36 protective order or the appointment of a guardian; or if none, the state in

1 which the respondent was physically present, including any period of
 2 temporary absence, for at least six consecutive months ending within the six
 3 months prior to the filing of the petition.

4 (3) "Significant-connection state" means a state, other than the
 5 home state, with which a respondent has a significant connection other than
 6 mere physical presence and in which substantial evidence concerning the
 7 respondent is available.

8 (b) In determining under §§ 28-74-203 and 28-74-301(e) whether a
 9 respondent has a significant connection with a particular state, the court
 10 shall consider:

11 (1) the location of the respondent's family and other persons
 12 required to be notified of the guardianship or protective proceeding;

13 (2) the length of time the respondent at any time was physically
 14 present in the state and the duration of any absence;

15 (3) the location of the respondent's property; and

16 (4) the extent to which the respondent has ties to the state
 17 such as voting registration, state or local tax return filing, vehicle
 18 registration, driver's license, social relationship, and receipt of services.

19
 20 28-74-202. Resolution of conflicts.

21 All conflicts between Chapter 65 - Guardians Generally, § 28-65-101 et
 22 seq.; Chapter 66 - Uniform Veterans' Guardianship Act, § 28-66-191 et seq.;,
 23 Chapter 67 - Conservators for the Aged and Disabled, § 28-67-101 et seq., and
 24 this chapter shall be resolved by giving exclusive effect to the law as
 25 stated in this chapter in cases in which this chapter would be applicable.

26
 27 28-74-203. Jurisdiction.

28 A court of this state has jurisdiction to appoint a guardian or issue a
 29 protective order for a respondent if:

30 (1) this state is the respondent's home state;

31 (2) on the date the petition is filed, this state is a
 32 significant-connection state and:

33 (A) the respondent does not have a home state or a court
 34 of the respondent's home state has declined to exercise jurisdiction because
 35 this state is a more appropriate forum; or

36 (B) the respondent has a home state, a petition for an

1 appointment or order is not pending in a court of that state or another
 2 significant-connection state, and, before the court makes the appointment or
 3 issues the order:

4 (i) a petition for an appointment or order is not
 5 filed in the respondent's home state;

6 (ii) an objection to the court's jurisdiction is not
 7 filed by a person required to be notified of the proceeding; and

8 (iii) the court in this state concludes that it is
 9 an appropriate forum under the factors set forth in § 28-74-206;

10 (3) this state does not have jurisdiction under either paragraph
 11 (1) or (2), the respondent's home state and all significant-connection states
 12 have declined to exercise jurisdiction because this state is the more
 13 appropriate forum, and jurisdiction in this state is consistent with the
 14 constitutions of this state and the United States; or

15 (4) The requirements for special jurisdiction under § 28-74-204
 16 are met.

17
 18 28-74-204. Special jurisdiction.

19 (a) A court of this state lacking jurisdiction under § 28-74-203 (1)
 20 through (3) has special jurisdiction to do any of the following:

21 (1) appoint a guardian in an emergency for a term not exceeding
 22 ninety (90) days for a respondent who is physically present in this state;

23 (2) issue a protective order with respect to real or tangible
 24 personal property located in this state;

25 (3) appoint a guardian or conservator for an incapacitated or
 26 protected person for whom a provisional order to transfer the proceeding from
 27 another state has been issued under procedures similar to § 28-74-301.

28 (b) If a petition for the appointment of a guardian in an emergency is
 29 brought in this state and this state was not the respondent's home state on
 30 the date the petition was filed, the court shall dismiss the proceeding at
 31 the request of the court of the home state, if any, whether dismissal is
 32 requested before or after the emergency appointment.

33
 34 28-74-205. Exclusive and continuing jurisdiction.

35 Except as otherwise provided in § 28-74-204, a court that has appointed
 36 a guardian or issued a protective order consistent with this chapter has

1 exclusive and continuing jurisdiction over the proceeding until it is
2 terminated by the court or the appointment or order expires by its own terms.

3
4 28-74-206. Appropriate forum.

5 (a) A court of this state having jurisdiction under § 28-74-203 to
6 appoint a guardian or issue a protective order may decline to exercise its
7 jurisdiction if it determines at any time that a court of another state is a
8 more appropriate forum.

9 (b) If a court of this state declines to exercise its jurisdiction
10 under subsection (a), it shall either dismiss or stay the proceeding. The
11 court may impose any condition the court considers just and proper, including
12 the condition that a petition for the appointment of a guardian or issuance
13 of a protective order be filed promptly in another state.

14 (c) In determining whether it is an appropriate forum, the court shall
15 consider all relevant factors, including:

16 (1) any expressed preference of the respondent;

17 (2) whether abuse, neglect, or exploitation of the respondent
18 has occurred or is likely to occur and which state could best protect the
19 respondent from the abuse, neglect, or exploitation;

20 (3) the length of time the respondent was physically present in
21 or was a legal resident of this or another state;

22 (4) the distance of the respondent from the court in each state;

23 (5) the financial circumstances of the respondent's estate;

24 (6) the nature and location of the evidence;

25 (7) the ability of the court in each state to decide the issue
26 expeditiously and the procedures necessary to present evidence;

27 (8) the familiarity of the court of each state with the facts
28 and issues in the proceeding; and

29 (9) if an appointment were made, the court's ability to monitor
30 the conduct of the guardian or conservator.

31
32 28-74-207. Jurisdiction declined by reason of conduct.

33 (a) If at any time a court of this state determines that it acquired
34 jurisdiction to appoint a guardian or issue a protective order because of
35 unjustifiable conduct, the court may:

36 (1) decline to exercise jurisdiction;

1 (2) exercise jurisdiction for the limited purpose of fashioning
2 an appropriate remedy to ensure the health, safety, and welfare of the
3 respondent or the protection of the respondent's property or prevent a
4 repetition of the unjustifiable conduct, including staying the proceeding
5 until a petition for the appointment of a guardian or issuance of a
6 protective order is filed in a court of another state having jurisdiction; or

7 (3) continue to exercise jurisdiction after considering:

8 (A) the extent to which the respondent and all persons
9 required to be notified of the proceedings have acquiesced in the exercise of
10 the court's jurisdiction;

11 (B) whether it is a more appropriate forum than the court
12 of any other state under the factors set forth in § 28-74-206(c); and

13 (C) whether the court of any other state would have
14 jurisdiction under factual circumstances in substantial conformity with the
15 jurisdictional standards of § 28-74-203.

16 (b) If a court of this state determines that it acquired jurisdiction
17 to appoint a guardian or issue a protective order because a party seeking to
18 invoke its jurisdiction engaged in unjustifiable conduct, it may assess
19 against that party necessary and reasonable expenses, including attorney's
20 fees, investigative fees, court costs, communication expenses, witness fees
21 and expenses, and travel expenses. The court may not assess fees, costs, or
22 expenses of any kind against this state or a governmental subdivision,
23 agency, or instrumentality of this state unless authorized by law other than
24 this chapter.

25
26 28-74-208. Notice of proceeding.

27 If a petition for the appointment of a guardian or issuance of a
28 protective order is brought in this state and this state was not the
29 respondent's home state on the date the petition was filed, in addition to
30 complying with the notice requirements of this state, notice of the petition
31 must be given to those persons who would be entitled to notice of the
32 petition if a proceeding were brought in the respondent's home state. The
33 notice must be given in the same manner as notice is required to be given in
34 this state.

35
36 28-74-209. Proceedings in more than one state.

1 Except for a petition for the appointment of a guardian in an emergency
 2 or issuance of a protective order limited to property located in this state
 3 under § 28-74-204(a)(1) or (a)(2), if a petition for the appointment of a
 4 guardian or issuance of a protective order is filed in this state and in
 5 another state and neither petition has been dismissed or withdrawn, the
 6 following rules apply:

7 (1) If the court in this state has jurisdiction under § 28-74-
 8 203, it may proceed with the case unless a court in another state acquires
 9 jurisdiction under provisions similar to § 28-74-203 before the appointment
 10 or issuance of the order.

11 (2) If the court in this state does not have jurisdiction under
 12 § 28-74-203, whether at the time the petition is filed or at any time before
 13 the appointment or issuance of the order, the court shall stay the proceeding
 14 and communicate with the court in the other state. If the court in the other
 15 state has jurisdiction, the court in this state shall dismiss the petition
 16 unless the court in the other state determines that the court in this state
 17 is a more appropriate forum.

18
 19 Subchapter 3 – Transfer of Guardianship or Conservatorship

20
 21 28-74-301. Transfer of guardianship or conservatorship to another
 22 state.

23 (a) A guardian or conservator appointed in this state may petition the
 24 court to transfer the guardianship or conservatorship to another state.

25 (b) Notice of a petition under subsection (a) must be given to the
 26 persons that would be entitled to notice of a petition in this state for the
 27 appointment of a guardian or conservator.

28 (c) On the court’s own motion or on request of the guardian or
 29 conservator, the incapacitated or protected person, or other person required
 30 to be notified of the petition, the court shall hold a hearing on a petition
 31 filed pursuant to subsection (a).

32 (d) The court shall issue an order provisionally granting a petition
 33 to transfer a guardianship and shall direct the guardian to petition for
 34 guardianship in the other state if the court is satisfied that the
 35 guardianship will be accepted by the court in the other state and the court
 36 finds that:

1 (1) the incapacitated person is physically present in or is
2 reasonably expected to move permanently to the other state;

3 (2) an objection to the transfer has not been made or, if an
4 objection has been made, the objector has not established that the transfer
5 would be contrary to the interests of the incapacitated person; and

6 (3) plans for care and services for the incapacitated person in
7 the other state are reasonable and sufficient.

8 (e) The court shall issue a provisional order granting a petition to
9 transfer a conservatorship and shall direct the conservator to petition for
10 conservatorship in the other state if the court is satisfied that the
11 conservatorship will be accepted by the court of the other state and the
12 court finds that:

13 (1) the protected person is physically present in or is
14 reasonably expected to move permanently to the other state, or the protected
15 person has a significant connection to the other state considering the
16 factors in § 28-74-201(b);

17 (2) an objection to the transfer has not been made or, if an
18 objection has been made, the objector has not established that the transfer
19 would be contrary to the interests of the protected person; and

20 (3) adequate arrangements will be made for management of the
21 protected person's property.

22 (f) The court shall issue a final order confirming the transfer and
23 terminating the guardianship or conservatorship upon its receipt of:

24 (1) a provisional order accepting the proceeding from the court
25 to which the proceeding is to be transferred which is issued under provisions
26 similar to § 28-74-302; and

27 (2) the documents required to terminate a guardianship or
28 conservatorship in this state.

29
30 28-74-302. Accepting guardianship or conservatorship transferred from
31 another state.

32 (a) To confirm transfer of a guardianship or conservatorship
33 transferred to this state under provisions similar to § 28-74-301, the
34 guardian or conservator must petition the court in this state to accept the
35 guardianship or conservatorship. The petition must include a certified copy
36 of the other state's provisional order of transfer.

1 (b) Notice of a petition under subsection (a) must be given to those
2 persons that would be entitled to notice if the petition were a petition for
3 the appointment of a guardian or issuance of a protective order in both the
4 transferring state and this state. The notice must be given in the same
5 manner as notice is required to be given in this state.

6 (c) On the court's own motion or on request of the guardian or
7 conservator, the incapacitated or protected person, or other person required
8 to be notified of the proceeding, the court shall hold a hearing on a
9 petition filed pursuant to subsection (a).

10 (d) The court shall issue an order provisionally granting a petition
11 filed under subsection (a) unless:

12 (1) an objection is made and the objector establishes that
13 transfer of the proceeding would be contrary to the interests of the
14 incapacitated or protected person; or

15 (2) the guardian or conservator is ineligible for appointment in
16 this state.

17 (e) The court shall issue a final order accepting the proceeding and
18 appointing the guardian or conservator as guardian or conservator in this
19 state upon its receipt from the court from which the proceeding is being
20 transferred of a final order issued under provisions similar to § 28-74-301
21 transferring the proceeding to this state.

22 (f) Not later than ninety (90) days after issuance of a final order
23 accepting transfer of a guardianship or conservatorship, the court shall
24 determine whether the guardianship or conservatorship needs to be modified to
25 conform to the law of this state.

26 (g) In granting a petition under this section, the court shall
27 recognize a guardianship or conservatorship order from the other state,
28 including the determination of the incapacitated or protected person's
29 incapacity and the appointment of the guardian or conservator.

30 (h) The denial by a court of this state of a petition to accept a
31 guardianship or conservatorship transferred from another state does not
32 affect the ability of the guardian or conservator to seek appointment as
33 guardian or conservator in this state under §28-65-101 et seq., the Uniform
34 Veterans' Guardianship Act, § 28-66-101 et seq., or § 28-67-101 et seq., if
35 the court has jurisdiction to make an appointment other than by reason of the
36 provisional order of transfer.

1
2 Subchapter 4 – Registration and Recognition of Orders From Other States

3
4 28-74-401. Registration of guardianship orders.

5 If a guardian has been appointed in another state and a petition for
6 the appointment of a guardian is not pending in this state, the guardian
7 appointed in the other state, after giving notice to the appointing court of
8 an intent to register, may register the guardianship order in this state by
9 filing as a foreign judgment with the clerk of the circuit court, in any
10 appropriate judicial district of this state, certified copies of the order
11 and letters of office.

12
13 28-74-402. Registration of protective orders.

14 If a conservator has been appointed in another state and a petition for
15 a protective order is not pending in this state, the conservator appointed in
16 the other state, after giving notice to the appointing court of an intent to
17 register, may register the protective order in this state by filing as a
18 foreign judgment with the clerk of the circuit court of the judicial district
19 in which property belonging to the protected person is located, certified
20 copies of the order and letters of office and of any bond.

21
22 28-74-403. Effect of registration.

23 (a) Upon registration of a guardianship or protective order from
24 another state, the guardian or conservator may exercise in this state all
25 powers authorized in the order of appointment except as prohibited under the
26 laws of this state, including maintaining actions and proceedings in this
27 state and, if the guardian or conservator is not a resident of this state,
28 subject to any conditions imposed upon nonresident parties.

29 (b) A court of this state may grant any relief available under this
30 chapter and other law of this state to enforce a registered order.

31
32 Subchapter 5 – Miscellaneous Provisions

33
34 28-74-501. Uniformity of application and construction.

35 In applying and construing this uniform act, consideration must be
36 given to the need to promote uniformity of the law with respect to its

1 subject matter among states that enact it.

2

3 28-74-502. Relation to Electronic Signatures in Global and National
4 Commerce Act.

5 This chapter modifies, limits, and supersedes the federal Electronic
6 Signatures in Global and National Commerce Act, 15 U.S.C. Section 7001 et
7 seq., as in effect on January 1, 2009, but does not modify, limit, or
8 supersede Section 101(c) of that act, 15 U.S.C. Section 7001(c), as in effect
9 on January 1, 2009, or authorize electronic delivery of any of the notices
10 described in Section 103(b) of that act, 15 U.S.C. Section 7003(b), as in
11 effect on January 1, 2009.

12

13 28-74-503. [Reserved].

14

15 28-74-504. Transitional provision.

16 (a) This chapter applies to guardianship and protective proceedings
17 begun on or after the effective date of this chapter.

18 (b) Section 28-74-101 et seq., § 28-74-301 et seq., § 28-74-401 et
19 seq., and §§ 28-74-501 and 28-74-502, apply to proceedings begun before the
20 effective date of this chapter, regardless of whether a guardianship or
21 protective order has been issued.

22

23 SECTION 2. Arkansas Code Title 28, Chapter 65, Subchapter 6 is amended
24 to read as follows:

25

26 Subchapter 6 – Foreign Guardians.

27

28 ~~28-65-601. Petition to act in Arkansas.~~ Judicial proceedings.

29 (a) If an incompetent person who is a resident of another state, a
30 territory of the United States, or the District of Columbia has a guardian,
31 curator, conservator, committee, tutor, or other person authorized by the
32 laws of the other jurisdiction to have possession and control of the property
33 of the incompetent person, such a person being hereinafter referred to as
34 "foreign guardian", the foreign guardian may petition the circuit court of
35 the county of this state in which a guardianship of the estate of the
36 incompetent person is pending, or, if no such guardianship is pending in this

1 state, of any county in which there is property belonging to his or her ward,
 2 or in which a cause of action in behalf of his or her ward may be lawfully
 3 brought, for authority:

4 (1) To remove the property to the domicile of the guardian and
 5 his or her ward;

6 (2) To sell, mortgage, lease, or exchange the property of his or
 7 her ward or to take any other action with reference thereto which a locally
 8 appointed guardian would be authorized to take and to remove the proceeds to
 9 the domicile of the guardian and his or her ward; or

10 (3) To bring the action in behalf of his or her ward.

11 (b) The foreign guardian shall file with his or her petition an
 12 authenticated copy of his or her letters of guardianship, or other
 13 appropriate evidence of his or her appointment and qualification, an
 14 authenticated copy of the bond, if any, filed by him or her with the court
 15 which appointed him or her, and evidence of the value of the property of the
 16 ward in the jurisdiction of his or her appointment.

17
 18 ~~28-65-602. Grant or denial of petition to act in Arkansas Effect.~~
 19 Determination by court.

20 (a) Upon being satisfied that the foreign guardian is duly appointed,
 21 qualified, and acting, that his or her bond is sufficient under the laws of
 22 the jurisdiction of his or her appointment to protect the property of the
 23 ward within the jurisdiction and the property within this state, or its
 24 proceeds, or that no bond is required in the jurisdiction of his or her
 25 appointment, and that the action ordered to be taken is in the best interest
 26 of the ward and his or her estate, the court may, if there is no locally
 27 appointed guardian, grant the petition, in whole or in part, and direct the
 28 foreign guardian to proceed with the directed action in the same manner as is
 29 provided for similar action by a resident guardian of the estate or a
 30 resident ward.

31 (b) If there is a locally appointed guardian, and upon the same
 32 findings as to the qualifications of the foreign guardian and the sufficiency
 33 of his or her bond, if any, the court, in the exercise of its discretion,
 34 may:

35 (1) Order the termination of the local guardianship and the
 36 payment, transfer, or delivery of the property of the ward to the foreign

1 guardian and grant the petition of the foreign guardian, in whole or in part;
2 or

3 (2) Order the local guardian to take the action, in whole or in
4 part, for which the foreign guardian asked authority; or

5 (3) Deny the petition.

6 (c) If the court orders the termination of the local guardianship, the
7 local guardian shall file his or her account immediately.

8

9 28-65-603. Corporate guardians. Qualification of corporation.

10 If the foreign guardian is a corporation, it need not qualify as a
11 corporation to do business under the general corporation laws of this state
12 to entitle it to administer the property of its ward situated in this state.

13

14 28-65-604. Applicability to other provisions.

15 The provisions of this subchapter shall not extend to foreign
16 guardianships addressed by the Uniform Adult Guardianship and Protective
17 Proceedings Jurisdiction Act, § 28-74-101 et seq.

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