

HOUSE No. 1542

The Commonwealth of Massachusetts

PRESENTED BY:

Kip A. Diggs

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to a guardianship pilot program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kip A. Diggs</i>	<i>2nd Barnstable</i>	<i>2/18/2021</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>2/24/2021</i>
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>2/25/2021</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>2/26/2021</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>2/26/2021</i>

HOUSE No. 1542

By Mr. Diggs of Barnstable, a petition (accompanied by bill, House, No. 1542) of Kip A. Diggs and others relative to establishing a child guardianship pilot program. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to a guardianship pilot program.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 215 of the General Laws, as appearing in the 2018 official edition,
2 is hereby amended by adding the following section:-

3 Section 64. The chief justice of the probate court, in consultation with the commissioner
4 of the department of children families and the chair of the commission on the status of
5 grandparents raising grandchildren, shall establish and promulgate rules for a children's court
6 program for actions relative to guardianship, adoption, caregiver rights, unfit parents, child
7 welfare or child protection within the probate court, subject to the approval of the supreme
8 judicial court. The chief justice for administration and management shall supervise and establish
9 standards for the implementation of such program and shall further implement a program of
10 certification for all personnel of the children's court program.

11 The chief justice of the probate court shall establish a pilot children's court program
12 within Barnstable County under his direct supervision. Under the pilot program, he shall be

13 responsible to fund, coordinate, and evaluate activities of the probate court to screen and refer
14 cases to the children's court program. The pilot program shall offer a kinship caregiver navigator
15 to grandparents or other relatives that are involved in matters in the children's court program to
16 reduce the likelihood of failed guardianships. The kinship caregiver navigator shall provide
17 information and support to address the challenges and costs that relative caregivers face when
18 providing care and financial support and navigating the child welfare and custody procedures
19 associated with kinship caregiving, including but not limited to families impacted by substance
20 misuse.

21 The chief justice of the probate court shall monitor and evaluate the cost, impact and
22 effectiveness of activities undertaken to screen and refer cases to the children's court and report
23 annually to the general court on his findings. The annual report should identify unmet needs and
24 promising opportunities for additional screening and referral activities and recommend
25 legislative actions required to implement these activities.