

ENROLLMENT(S)

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COUNCIL OF THE DISTRICT OF COLUMBIA

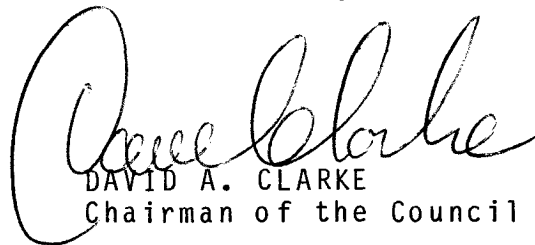
NOTICE

D.C. LAW 8-34

"Guardianship, Protective Proceedings, and Durable Power of Attorney Revision Amendment Act of 1989".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 8-226 on first and second readings, June 13, 1989, and June 27, 1989, respectively. Following the signature of the Mayor on July 7, 1989, this legislation was assigned Act No. 8-59, published in the July 21, 1989, edition of the D.C. Register, (Vol. 36 page 5035) and transmitted to Congress on July 12, 1989 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 8-34, effective September 22, 1989.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

July 12,13,14,17,18,19,20,21,24,25,26,27,28,31

August 1,2,3,4

September 6,7,8,11,12,13,14,15,18,19,20,21

SEP 22 1989

Codification,
District of Columbia Code
(1990 Supplement)

AN ACT

D.C. ACT 8 - 59

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUL 07 1989

To amend the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986 to delay the effective date of the guardianship and protective proceedings provisions of the act, to delete the jury trial provisions, to allow the court to waive the appointment of visitors and examiners, and to provide for additional time for service by mail.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Guardianship, Protective Proceedings, and Durable Power of Attorney Revision Amendment Act of 1989".

Sec. 2. The District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986, effective February 28, 1987 (D.C. Law 6-204; D.C. Code, sec. 21-2001 et seq.), is amended as follows:

(a) By amending section 4(b) by striking the date "January 1, 1988" and inserting in its place the date "September 30, 1989";

(b) By amending section 21-2002(c) to read as follows:

Section,
21-2002

"(c) Nothing in this chapter shall affect any guardian or conservator appointed by the court upon a petition filed prior to the effective date of this chapter.";

(c) By amending the table of contents for Chapter 20 by striking the phrase "21-2023. Jury trial.";

TOC, Section
21-2023

(d) By repealing section 21-2023;

Section

(e) By amending section 21-2031(b)(1) by striking the number "14" and inserting the number "17" in its place;

21-2023
Section

(f) By amending section 21-2041(d) by adding a new sentence to the end to read as follows:

21-2031
Section

"The court may waive the appointment of a visitor and, where a report has been submitted in writing to the court for the allegedly incapacitated individual, the court may waive the appointment of an examiner.";

21-2041

(g) By amending section 21-2041(h) to read as follows:

"(h) An individual alleged to be incapacitated shall be present at the hearing unless good cause is shown for the absence. The individual shall be represented by counsel and is entitled to present evidence and to cross-examine witnesses, including any court-appointed examiner or visitor. The hearing may be closed if the individual alleged to be incapacitated or counsel for the individual so requests.";

(h) By amending section 21-2047(d) by striking the phrase "21-2060(b)" and inserting the phrase "21-2060(a)" in its place;


Section
21-2047

(i) By amending section 21-2054(e) to read as follows:

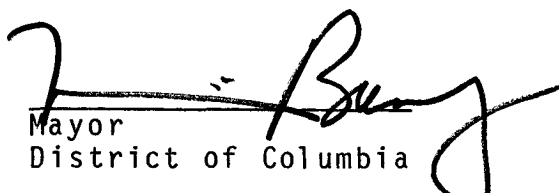
Section
21-2054

"(e) An individual alleged to be incapacitated shall be present at the hearing unless good cause is shown for the absence. The individual shall be represented by counsel and is entitled to present evidence and cross-examine witnesses, including any court-appointed examiner or visitor. The hearing may be closed if the individual alleged to be incapacitated or counsel for the individual so requests.".

Sec. 3. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED: July 7, 1989



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Eight

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 8-226

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 6-13-89

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: -- RESULT _____ (/ / /)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Russell A. Smith *(Signature)*
 Secretary to the Council

30 June 1989
 Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 6-27-89

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: -- RESULT _____ (/ / /)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Russell A. Smith *(Signature)*
 Secretary to the Council

30 June 1989
 Date

Item on Consent Calendar

ACTION & DATE: _____

VOICE VOTE: _____

Recorded vote on request

Absent: _____

ROLL CALL VOTE: -- RESULT _____ (/ / /)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date