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From: Virginia Kerr <vakerrlaw@verizon.net>
Sent: Wednesday, September 07, 2016 11:43 AM
To: Comments Mailbox
Subject: Proposed new forms for Guardianships of Incapacitated Persons
Attachments: vakerrlaw.vcf

To Whom It May Concern,

I am writing with a comment on the proposed new forms for Guardianship of Incapacitated Persons. In particular, I have a comment on the form for the certifying physician.

Item 12 of the form now reads:

I am not related either through blood or marriage, to _____, the alleged incapacitated person, nor to a proprietor, director or chief executive officer of any institution for the care and treatment of the mentally ill in which the said _____ is living, or in which it is proposed to place her/him; nor am I professionally employed by the management thereof as a resident physician or psychologist; nor am I financially interested therein.

I recommend modifying Item 12 as shown below in bold:

I am not related either through blood or marriage, to _____, the alleged incapacitated person, **or to the spouses or in-laws of the alleged incapacitated person's children**, nor to a proprietor, director or chief executive officer of any institution for the care and treatment of the mentally ill in which the said _____ is living, or in which it is proposed to place her/him; nor am I professionally employed by the management thereof as a resident physician or psychologist; nor am I financially interested therein; **nor do I have an ongoing business or other financial relationship with the attorney representing the persons seeking this guardianship.**

The changes I suggest speak for themselves, but, to state the obvious, are designed to reinforce the need for a certifying physician who is exercising a professional judgment independently of connections with the family of the alleged incapacitated person or with attorney(s) representing that family.

Thank you for your attention to these comments.

Sincerely,

Virginia Kerr, Esq.