

1 SENATE JOINT MEMORIAL 14

2 47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

3 INTRODUCED BY

4 James G. Taylor

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8 FOR THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE

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10 A JOINT MEMORIAL

11 REQUESTING ESTABLISHMENT OF A TASK FORCE TO REVIEW THE KINSHIP
12 GUARDIANSHIP ACT AND RECOMMEND CHANGES TO TEMPORARY
13 GUARDIANSHIP FOR CHILDREN OF INCARCERATED PARENTS.

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15 WHEREAS, there is a critical need for incarcerated parents
16 to be able to ensure the safety and health of their children
17 while the parents are temporarily incarcerated; and

18 WHEREAS, the current provisions of the Uniform Probate
19 Code, the Kinship Guardianship Act and powers of attorney
20 statutes may not provide appropriate mechanisms for addressing
21 the concerns of incarcerated parents; and

22 WHEREAS, the legislature believes that a mechanism should
23 be in effect for incarcerated parents to delegate their
24 decision-making powers related to their children;

25 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE

.159225.1

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1 STATE OF NEW MEXICO that the children, youth and families
2 department be requested to establish a task force to study the
3 issue of temporary guardianship and make recommendations to the
4 legislature no later than September 2006 through the courts,
5 corrections and justice committee or its successor interim
6 committee; and

7 BE IT FURTHER RESOLVED that the children, youth and
8 families department work with the administrative office of the
9 courts, advocates for incarcerated parents and advocates for
10 children in determining the appropriate membership of the task
11 force; and

12 BE IT FURTHER RESOLVED that a copy of this memorial be
13 transmitted to the secretary of children, youth and families.

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