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**HF 610** – Guardianship and Conservatorship, Adult (LSB1065HV.1)  
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Fiscal Note Version – Final Action

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**Description**

[House File 610](#) amends the Iowa probate code, which provides for the opening and administration of guardianships and conservatorships for adults and minors. The Bill amends and deletes some of the provisions governing guardianships for adults and conservatorships for adults and minors. The Bill also amends and adds specific requirements regarding the contents of a guardianship or conservatorship petition, notice, and hearing. The Bill adds a provision permitting the District Court to order the parties in a guardianship or conservatorship action to participate in mediation. In addition, [HF 610](#) establishes the requirement that proposed guardians and conservators, other than financial institutions, undergo background checks and checks against Iowa child abuse, dependent adult abuse, and sexual offender registries.

**Background**

In 2018, there were 2,603 guardianship and guardian/conservatorship filings, 43.0% of which involved guardianships for adults. Under current law, a hearing on a petition for appointment of a guardian for an adult is permitted, but not required in all cases.

**Assumptions**

- District courts currently hold a hearing on the initial guardianship petition in 25.0% of adult guardianship cases, approximately 280 cases.
- The average length of a hearing would be 45 minutes.
- The estimated hours of additional court time for hearings is 630 hours.
- The cost per 45-minute hearing before a district court judge would be \$150. This cost includes salary and benefit costs for a District Court Judge, Court Reporter, and Judicial Specialist in the courtroom.

**Fiscal Impact**

[House File 610](#) is estimated to have a fiscal impact on the Judicial Branch operating budget. The number of hearings on initial guardianship petitions is estimated to increase by approximately 75.0%, resulting in an estimated 839 additional hearings. The Judicial Branch estimates that the total annual cost for the additional court hearings pursuant to this Bill would be approximately \$94,400. The fiscal impact of the required background and registry checks is expected to be minimal.

**Source**

Judicial Branch

/s/ Holly M. Lyons

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June 5, 2019