



**Fiscal Estimate Narratives**

CTS 2/11/02

LRB Number	<b>01-2451/1</b>	Introduction Number	<b>SB-257</b>	Estimate Type	<b>Original</b>
<b>Subject</b>					
Payment from ward's estate of reasonable attorney's fees; judge to consider properly-executed power of attorney					

**Assumptions Used in Arriving at Fiscal Estimate**

This bill eliminates the provision prohibiting a court from awarding, from a ward's estate, attorney fees and costs to the person who successfully petitioned for a finding of the ward's incompetence, if the ward had executed a financial power of attorney or power of attorney for health care or had engaged in other advanced planning to avoid guardianship. Instead, the bill makes this action one that must be considered by the court when making its decision about awarding costs.

This bill is not expected to have any significant impact upon circuit court operations.

**Long-Range Fiscal Implications**