

387.500 Declaration of legislative purpose.

- (1) It is the intent and purpose of the General Assembly to recognize that disabled persons have varying degrees of disability.
- (2) Persons who are only partially disabled must be legally protected without a determination of total incompetency and without the attendant deprivation of civil and legal rights that such a determination requires.
- (3) To this end, guardianship and conservatorship for disabled persons shall be utilized only as is necessary to promote their well-being, including protection from neglect, exploitation, and abuse; shall be designed to encourage the development of maximum self-reliance and independence in each person; and shall be ordered only to the extent necessitated by each person's actual mental and adaptive limitations.
- (4) If the court determines that some form of guardianship or conservatorship is necessary, partial guardianship or partial conservatorship shall be the preferred form of protection and assistance for a disabled person.

Effective: July 1, 1982

History: Created 1982 Ky. Acts ch. 141, sec. 1, effective July 1, 1982.

Legislative Research Commission Note. The chairman of the guardianship subcommittee of the 1980-82 Interim Joint Committee on Judiciary Statutes, in a letter to the Deputy Director and Reviser of Statutes, dated 2-7-86, has stated as follows: "As indicated in Senate Bill 35, in Section 1, 'Guardianship and conservatorship for disabled persons shall be utilized only as is necessary to promote their well-being, including protection from neglect, exploitation and abuse.'