

**A.C.A. § 28-65-302****Copy Citation**

Current through all laws of the 2018 Fiscal Session and 2018 Second Extraordinary Session, including changes and corrections by the Arkansas Code Revision Commission.

[Arkansas Code Annotated](#) > [Title 28 Wills, Estates, and Fiduciary Relationships](#) > [Subtitle 5. Fiduciary Relationships](#) > [Chapter 65 Guardians Generally](#) > [Subchapter 3-- Powers and Duties](#)

**28-65-302.** Decisions requiring court approval.

**(a) (1)** No guardian appointed prior to October 1, 2001, shall make any of the following decisions without filing a petition and receiving express court approval:

**(A)** Consent on behalf of the incapacitated person to abortion, sterilization, psychosurgery, or removal of bodily organs except when necessary in a situation threatening the life of the incapacitated;

**(B)** Consent to withholding life-saving treatment;

**(C)** Authorize experimental medical procedures;

**(D)** Authorize termination of parental rights;

**(E)** Prohibit the incapacitated person from voting;

**(F)** Prohibit the incapacitated person from obtaining a driver's license; or

**(G)** Consent to a settlement or compromise of any claim by or against the incapacitated person or his or her estate.

**(2)** No guardian appointed on or after October 1, 2001, shall make any of the following decisions without filing a petition and receiving express court approval:

**(A)** Consent on behalf of the incapacitated person to abortion, sterilization, psychosurgery, or removal of bodily organs except when necessary in a situation threatening the life of the

incapacitated;

**(B)** Consent to withholding life-saving treatment;

**(C)** Authorize experimental medical procedures;

**(D)** Authorize termination of parental rights;

**(E)** Authorize an incapacitated person to vote;

**(F)** Prohibit the incapacitated person from obtaining a driver's license; or

**(G)** Consent to a settlement or compromise of any claim by or against the incapacitated person or his or her estate.

**(b)** However, the provisions of subdivision (a)(2) of this section shall not apply to written requests under § 20-17-214.

## History

---

Acts 1985, No. 940, § 26; A.S.A. 1947, § 57-845; Acts 1999, No. 1536, § 7; 2001, No. 1689, § 1.

Arkansas Code of 1987 Annotated Official Edition

© 2019 by the State of Arkansas All rights reserved.

**Content Type:** Statutes and Legislation

**Terms:** 28-65-302

**Narrow By:** custom: custom Sources: Arkansas Code Annotated

**Date and Time:** Mar 27, 2019 04:35:11 p.m. CST