

ACT 6

A Bill for an Act Relating to Small Estates of Wards and Amending Chapter 338, Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 338-5, Revised Laws of Hawaii 1955, is hereby amended in the following respects:

(a) By deleting the amount "\$1,500" wherever it appears therein and substituting in lieu thereof the amount "\$3,000";

(b) By deleting therefrom the amount "\$3,000" and substituting in lieu thereof the amount "\$5,000"; and

(c) By deleting the period at the end of section 338-5 and adding the following words to said section: "or the court may, in its discretion, allow the guardian appointed under this section to continue to act even though the total assets exceed \$5,000."

SECTION 2. Chapter 338, Revised Laws of Hawaii 1955, as amended, is hereby amended by adding thereto a new section to be appropriately numbered and to read as follows:

"Section 338- . Estates less than \$100.

(a) Estate of minor.

When the whole estate of a minor does not exceed the value of \$100, the court may, in its discretion, without the appointment of a guardian or the giving of bond, authorize:

(1) The deposit thereof in a depository authorized to receive fiduciary funds, payable to the guardian of the estate when appointed or to the minor upon his attaining the age of majority; or

(2) If the assets do not consist of money, the delivery thereof to a suitable person designated by the court, deliverable to the guardian of the estate when appointed or to the minor upon his attaining the age of majority; or

(3) The payment or delivery thereof to the parent of the minor, or to the person having the care or custody of the minor or to the minor himself.

The person receiving such money or other assets shall hold and dispose of the same in such manner as the court shall direct.

(b) Estate of incompetent adult.

When the whole estate of a person over the age of twenty who has been adjudicated incompetent does not exceed the value of \$100, the court may, in its discretion, without the appointment of a guardian or the giving of bond, authorize the deposit thereof in a depository authorized to receive fiduciary funds in the name of a suitable person designated by the court, or if the assets do not consist of money,

authorize the delivery thereof to a suitable person designated by the court. The person receiving such money or other assets shall hold and dispose of the same in such manner as the court shall direct.”

SECTION 3. This Act shall take effect upon its approval.
(Approved May 3, 1965.) **H.B. 998.**