540.08 INJURY TO CHILD OR WARD; SUIT BY PARENT OR GUARDIAN.

A parent may maintain an action for the injury of a minor son or daughter. A general guardian may maintain an action for an injury to the ward. A guardian of a dependent, neglected, or delinquent child, appointed by a court having jurisdiction, may maintain an action for the injury of the child. If no action is brought by the father or mother, an action for the injury may be brought by a guardian ad litem, either before or after the death of the parent. Before a parent receives property as a result of the action, the parent shall file a bond as the court prescribes and approves as security therefor. In lieu of this bond, upon petition of the parent, the court may order that the property received be invested in securities issued by the United States, which shall be deposited pursuant to the order of the court, or that the property be invested in a savings account, savings certificate, certificate of deposit, or share certificate, in a bank, savings association, trust company, credit union in which either the depositor or beneficiary is a member, or an annuity or other form of structured settlement, subject to the order of the court. A copy of the court's order and the evidence of the deposit shall be filed with the court administrator. Money or assets in an account established by the court under this section are not available to the minor child or the child's parent or guardian until released by the court to the child or the child's parent or guardian. No settlement or compromise of the action is valid unless it is approved by a judge of the court in which the action is pending.

History: *(9172) RL s 4060; 1907 c 58 s 1; 1929 c 113 s 1; 1943 c 416 s 1; 1951 c 347 s 1; 1961 c 346 s 1; 1969 c 660 s 2; 1981 c 31 s 15; 1981 c 313 s 25; 1Sp1986 c 3 art 1 s 82; 1989 c 282 art 2 s 198; 1993 c 257 s 48; 1995 c 202 art 1 s 25*