

(2) ANY EXPRESSED PREFERENCES OF THE DISABLED PERSON REGARDING THE PROVISION OF, OR THE WITHHOLDING OR WITHDRAWAL OF, THE LIFE-SUSTAINING PROCEDURE AT ISSUE;

(3) ANY EXPRESSED PREFERENCES OF THE DISABLED PERSON ABOUT THE PROVISION OF, OR THE WITHHOLDING OR WITHDRAWAL OF, LIFE-SUSTAINING PROCEDURES GENERALLY;

(4) ANY RELIGIOUS OR MORAL BELIEFS OR PERSONAL VALUES OF THE DISABLED PERSON IN RELATION TO THE PROVISION OF, OR THE WITHHOLDING OR WITHDRAWAL OF, LIFE-SUSTAINING PROCEDURES;

(5) ANY BEHAVIORAL OR OTHER MANIFESTATIONS OF THE ATTITUDE OF THE DISABLED PERSON TOWARD THE PROVISION OF, OR THE WITHHOLDING OR WITHDRAWAL OF, THE LIFE-SUSTAINING PROCEDURE;

(6) ANY CONSISTENT PATTERN OF CONDUCT BY THE DISABLED PERSON REGARDING PRIOR DECISIONS ABOUT HEALTH CARE;

(7) ANY REACTIONS OF THE DISABLED PERSON TO THE PROVISION OF, OR THE WITHHOLDING OR WITHDRAWAL OF, A COMPARABLE LIFE-SUSTAINING PROCEDURE FOR ANOTHER INDIVIDUAL; AND

(8) ANY EXPRESSED CONCERNS OF THE DISABLED PERSON ABOUT THE EFFECT ON THE FAMILY OR INTIMATE FRIENDS OF THE DISABLED PERSON IF A LIFE-SUSTAINING PROCEDURE WERE PROVIDED, WITHHELD, OR WITHDRAWN.

13-712. SUBSTITUTED JUDGMENT; EVIDENCE.

(A) THE COURT MAY APPROVE A REQUEST FOR THE WITHHOLDING OR WITHDRAWAL OF A LIFE-SUSTAINING PROCEDURE FROM A DISABLED PERSON ON THE BASIS OF A SUBSTITUTED JUDGMENT.

(B) THE COURT MAY MAKE A SUBSTITUTED JUDGMENT UNDER SUBSECTION (A) OF THIS SECTION ONLY ON THE BASIS OF CLEAR AND CONVINCING EVIDENCE THAT THE DISABLED PERSON WOULD, IF COMPETENT, DECIDE TO WITHHOLD OR WITHDRAW A LIFE-SUSTAINING PROCEDURE UNDER THE CIRCUMSTANCES.

(C) EVIDENCE OF THE INTENTIONS OR WISHES OF THE DISABLED PERSON REGARDING THE WITHHOLDING OR WITHDRAWAL OF A LIFE-SUSTAINING PROCEDURE THAT MIGHT OTHERWISE BE INADMISSIBLE MAY BE ADMITTED, IN THE DISCRETION OF THE COURT, IF IT IS:

(1) MATERIAL AND PROBATIVE; AND

(2) THE BEST EVIDENCE AVAILABLE.

13-713. BEST INTEREST OF A DISABLED PERSON.