

Questions and Answers on Guardianship
Accessed from the Calhoun County (Michigan) Courts website

1. Power of Attorney and Guardianship of Minors Limited Guardianship; Full Guardianship; Termination of Parental..
<http://courts.co.calhoun.mi.us/book003.htm>

2. Limited Guardianship - How can I terminate a limited guardianship over my child?
<http://courts.co.calhoun.mi.us/quest362.htm>

3. Minor Guardianship - Can a grandparent petition for parenting time in a full guardianship?
<http://courts.co.calhoun.mi.us/quest276.htm>

4. Minor Guardianship - What is the effect of terminating a minor guardianship upon parental rights?
<http://courts.co.calhoun.mi.us/quest676.htm>

5. Modifying Guardianship - When can a guardianship be modified or terminated?
<http://courts.co.calhoun.mi.us/quest046.htm>

6. Guardianship - What is the procedure to appoint new guardianship? What is the procedure to ... Terminate or Modify/Guardianship/Conservatorship
<http://courts.co.calhoun.mi.us/quest410.htm>

7. Minor Guardianship - May a relative of a child under guardianship require the guardian to allow visits with the relative?
<http://courts.co.calhoun.mi.us/quest327.htm>

8. Minor Guardianship - Is there an alternative to a guardianship for transferring parental powers to ... third person?
<http://courts.co.calhoun.mi.us/quest543.htm>

9. Guardianship - How does a guardianship affect a living trust?
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11. Guardianship - What is the statute of limitation for a guardianship appeal?
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12. Guardianship - How should we decide if a power of attorney or guardianship is more appropriate?
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13. Limited guardianship of a minor. Can parents be made to support?
<http://courts.co.calhoun.mi.us/quest024.htm>

14. Handbook for Guardians of Adults or Modification of Guardianship B. Delegation of Powers
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15. Is it proper for the court to compare the guardian with the petitioning parent...
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Estate in Michigan; Guardianship for an Adult ; Full Guardianship for a Minor, Involuntary ... of Menu Guardianship of an Adult ...
Alternatives to guardianship and conservatorship Petitioning
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17. Termination of Limited Guardianship -What can guardians do to pursue custody of ... I received "Limited Guardianship" of our niece because the ... old. Our "Limited Guardianship" calls for the child's
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18. Minor Guardianship - Is there any difference in the rights my parents would have...under limited guardianship?
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21. Minor Guardianship - Permit the Minor to Reside....issue of guardianship arose when Julie ... for temporary guardianship. The court granted...
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22. Minor Guardianship - How can we try to keep custody of a ward once a parent tries to regain custody? I have full guardianship of two little girls, ages ...
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23. Child Custody - Can I prevent my child's father from getting custody of his child if I die by giving guardianship of the child to my husband?
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29. What are the requirements for obtaining a guardianship over an adult in Michigan?

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30. Alternatives to Full Guardianship for Adults
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31. Guardianship of Minor - I have physical custody of a minor whose parents are...Is a conservatorship necessary?

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32. Guardianship - As an interested person to what information am I entitled? My step-sister has guardianship of my mother who lives....

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33. Guardianship procedure - What procedure needs to be followed in appointing a guardian of an adult? My situation concerning guardianship is a bit unique in ...

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34. Temporary co-guardians were not interested parties in adoption proceedings under... By Judge Faye M. Harrison ...

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35. Guardianship - Minor - Power of Attorney - Jurisdiction

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36. Manual for Guardians ad Litem and Appointed Counsel - Part 3

<http://courts.co.calhoun.mi.us/book042c.htm>

37. Guardianship - May a petition be filed under the Probate Code to appoint a guardian of a developmentally disabled persons?

<http://courts.co.calhoun.mi.us/quest404.htm>

38. Manual for Guardians ad Litem and Appointed Counsel

<http://courts.co.calhoun.mi.us/book042a.htm>

39. Marriage - Can an individual for whom a guardian has been appointed marry?

<http://courts.co.calhoun.mi.us/quest238.htm>

40. Handbook for Guardians of Adults - Part 5

<http://courts.co.calhoun.mi.us/book037e.htm>

41. Guardianship - How much control does the guardian have over the legally incapacitated individual?
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42. Acting for Adults Who Become Disabled
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44. Guardian of estate - What is a conservator for a minor?
You may be confusing guardianship of the person and guardianship of the estate.
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45. Manual for Guardians ad Litem and Appointed Counsel - Part 2
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46. Child Custody Act - Limited Guardian - Jurisdiction
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49. Guardianship - Developmentally Disabled Person - Legally Incapacitated Person...Mental Health Code GUARDIANSHIP - DEVELOPMENTALLY DISABLED PERSON - LEGALLY INCAPACITATED ... disabled and any guardianship proceedings should only be ...
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50. Probate - May a ward's real estate be sold when there is a guardian but no conservator? My grandmother and the court gave my aunt guardianship over herself. Anyway, my grandmother wants to sell her home...
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51. Citizen Questions - What is the statute of limitation for a guardianship appeal May a minor choose who...
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52. Alternatives to Guardianship and Conservatorship
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53. Prehearing Procedure for an Adult Guardianship
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54. Amendment requiring court to provide a person filing a petition for guardianship of an adult with written information...

<http://courts.co.calhoun.mi.us/468pa00.htm>

55. Amendment expanding the duties of a guardian ad litem to recommend alternatives to guardianship or conservatorship and whether mediation...

<http://courts.co.calhoun.mi.us/464pa00.htm>

56. In the case of a parental appointment by will, must the will be probated?

<http://courts.co.calhoun.mi.us/epic0290.htm>

57. Guardians for Minors. In a limited guardianship, the proposed guardian and the custodial ... sign a limited guardianship placement plan. This plan tells ... reason for the guardianship, how long it will last...

<http://courts.co.calhoun.mi.us/ctinf051.htm>

58. What are the duties to the court of a guardian of a minor appointed by parental...

<http://courts.co.calhoun.mi.us/epic0015.htm>

59. Probate Court Fee - April 2000

FEES APPLICABLE TO GUARDIANSHIP CASES UNDER EPIC FEES APPLICABLE ...

<http://courts.co.calhoun.mi.us/note0001.htm>

60. Appointment of Guardian for Legally Incapacitated Individual by Will or

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61. Hearing Procedure for an Adult Guardianship

<http://courts.co.calhoun.mi.us/note0045.htm>

62. Conservatorship - When the conservator and ward move to another state must the Michigan guardianship be closed and a Texas guardianship opened.

<http://courts.co.calhoun.mi.us/quest236.htm>

63. Child Custody Act - Limited Guardian - Jurisdiction

<http://courts.co.calhoun.mi.us/ca101797.htm>

64. Temporary Guardian of a Minor

Proceeding for permanent (full) guardianship.

<http://courts.co.calhoun.mi.us/note0052.htm>

65. Manual for Guardians ad Litem and Appointed Counsel - Part 4

<http://courts.co.calhoun.mi.us/book042d.htm>

66. If both parents become incapacitated, what would be the best way to effectuate a guardianship appointment?

<http://courts.co.calhoun.mi.us/epic0338.htm>

67. Manual for Guardians ad Litem and Appointed Counsel - Part 5

<http://courts.co.calhoun.mi.us/book042e.htm>

68. Types of Guardians and Conservators
<http://courts.co.calhoun.mi.us/note0040.htm>

69. Public Act 494 id 1998
criteria for a minor guardianship PUBLIC ACT 494 of 1998 Guardianship
of Minors
<http://courts.co.calhoun.mi.us/494pa98.htm>

70. School - May a grandmother holding a power of attorney over a
grandchild place the child in the school district of her residence?
The most recent case concerning this issue is Feaster v Portage Public
Schools, 451 Mich 351 (1996). Under this case the parent may be able
to place the child with the grandmother by a power of attorney for
school purposes.
<http://courts.co.calhoun.mi.us/quest150.htm>

71. Handbook for Guardians of Adults
<http://courts.co.calhoun.mi.us/book037b.htm>

72. Child Custody - What should a biological father not appearing as
legal father do...was looking to receive guardianship of my boyfriends
son, who is ... asking that a guardianship be established for the minor
<http://courts.co.calhoun.mi.us/quest279.htm>

73. Can a conservator have attorney fees paid from the conservatorship
assets for an...
<http://courts.co.calhoun.mi.us/epic0346.htm>

74. Handbook for Guardians of Adults - Part 4
Detailed information about guardianship and duties of guardians
<http://courts.co.calhoun.mi.us/book037d.htm>

75. Jurisdiction and Responsibilities of the Probate Court and Judge
2. Protective and guardianship proceedings. 3. Trusts 4. Survival ...
persons. 24. Guardianship for developmentally disabled. ...
enhancement. c. Guardianship Investigations d. Caseflow
<http://courts.co.calhoun.mi.us/proba002.htm>

76. Guardian / Conservator - General
Alternatives to Full Guardianship for Adults" This pamphlet was ...
Copyright 1991 Guardianship for an Adult; A series
<http://courts.co.calhoun.mi.us/ctinf057.htm>

77. Fiduciary Fee - What is an appropriate fee for a guardian or a
conservator? Likewise, what about guardianship fees?
<http://courts.co.calhoun.mi.us/quest344.htm>

78. Temporary Guardian of an Adult
petition for a full guardianship is pending. Once a petition for ...
issue Letters of Guardianship (PC 633). The Letters will ... schedule
the full guardianship hearing within 28 days of
<http://courts.co.calhoun.mi.us/note0044.htm>

79. Who are interested persons for a petition to terminate a trust?

<http://courts.co.calhoun.mi.us/epic0260.htm>

80. Conservatorship - What is the proper venue for a conservatorship for a Michigan resident? Question If a guardianship is established in one county because the nursing home is there, would the guardianship move with him?

<http://courts.co.calhoun.mi.us/quest770.htm>

81. Probate Review for 1998

GUARDIANSHIP OF MINORS - CRITERIA Public Act 494 of ... September August July GUARDIANSHIP - DEVELOPMENTALLY DISABLED PERSON - LEGALLY INCAPACITATED

<http://courts.co.calhoun.mi.us/98review.htm>

82. Court Library

Alternatives to Full Guardianship for Adults" This pamphlet was ... which may avoid guardianship for adults. 2001 041 "Arrest ... of Attorney and Guardianship of Minors" This pamphlet is

<http://courts.co.calhoun.mi.us/book000.htm>

83. Probate Review for 2000

TO RECOMMEND ALTERNATIVES TO GUARDIANSHIP OR CONSERVATORSHIP AND WHETHER MEDIATION APPROPRIATE PUBLIC ... FILING A PETITION FOR GUARDIANSHIP OF AN ADULT WITH WRITTEN INFORMATION ON

<http://courts.co.calhoun.mi.us/00review.htm>

84. Public Act 481 of 1998

guardian ad litem in minor guardianship proceedings. PUBLIC ACT 481 OF 1998 Appointment of Lawyer ...

<http://courts.co.calhoun.mi.us/481pa98.htm>

85. Child Support - What is the effect of the death of a party on a support order?

<http://courts.co.calhoun.mi.us/quest509.htm>

86. What would be the proper procedure for a current conservator to petition to Terminate or Modify Guardianship/Conservatorship

<http://courts.co.calhoun.mi.us/epic0255.htm>

87. Is there any benefit to putting a nomination of a guardian of a minor in a living trust.

<http://courts.co.calhoun.mi.us/epic0385.htm>

88. Temporary Guardians have standing to petition for custody.

Stepfather filed a petition for guardianship and was named temporary guardian. Stepfather quickly filed the instant case seeking permanent custody;

<http://courts.co.calhoun.mi.us/00dom007.htm>

89. What is Probate Court?

must determine whether a guardianship or conservatorship is legally appropriate and who ... developmentally disabled person, any guardianship must be pursuant to the mental health

<http://courts.co.calhoun.mi.us/note0002.htm>

91. Can the son of an incapacitated person who has priority be appointed. A person who has priority but lives outside the United States would not be disqualified because of his...
<http://courts.co.calhoun.mi.us/epic0142.htm>
92. Handbook for Conservators of Adults - Part 8
<http://courts.co.calhoun.mi.us/book036h.htm>
93. Substantive Changes to Probate Court Rules (b) A guardianship may only be granted on the basis of testimony at a hearing.
<http://courts.co.calhoun.mi.us/ru071201.htm>
94. What You Need to Know Before Filing a Petition to Appoint a Guardian for an...
<http://courts.co.calhoun.mi.us/book022.htm>
95. New legislation affecting Michigan children and other representatives under the guardianship and child custody statutes.
<http://courts.co.calhoun.mi.us/99juv011.htm>
96. When a father has not established paternity, may a mother make a.. More specifically, what would happen in this situation: mother and father never married,
<http://courts.co.calhoun.mi.us/epic0362.htm>
97. If the nominated guardian is appointed and then dies, does a secondary nomination ...
While the MCL 700.5202(2) does not specifically provide for the appointment of multiple guardians or
<http://courts.co.calhoun.mi.us/epic0423.htm>
98. Amendment defining a professional guardian and professional conservator and...1106(r) defines a professional guardian as a person that provides guardianship services for a fee. Does not include a person who is an individual who is related to all but two of ...
<http://courts.co.calhoun.mi.us/463pa00.htm>
99. Power of Attorney - Can a legally incapacitate individual or protected individual ...The answer is "No". Once a court establishes a full guardianship or conservatorship for an individual, this is generally a determination that the person lacks the capacity to enter
<http://courts.co.calhoun.mi.us/quest354.htm>
100. Can parents name a citizen and resident of another country as the guardian of a...
<http://courts.co.calhoun.mi.us/epic0119.htm>
101. Retroactive Effect Given to Statute Regarding Standing for Limited Guardian in...
eliminated a parent's unfettered right to terminate a limited guardianship and instituted a mechanism whereby limited guardians were granted standing to pursue a child custody action
<http://courts.co.calhoun.mi.us/99juv002.htm>

102. Temporary Guardian - Minor - Standing - Child Custody Act duties and authority are the same except that the temporary guardianship terminates at a time certain within a six month period. As a subcategory of ordinary guardianships, there is..

<http://courts.co.calhoun.mi.us/ca063000.htm>

103. Failure to provide notice to incapacitated individual does not invalidate order...

<http://courts.co.calhoun.mi.us/03dom014.htm>

104. Can the son of a protected individual, who is the appointed conservator, designate a successor conservator for that individual by a written instrument such as a will?

<http://courts.co.calhoun.mi.us/epic0251.htm>

105. Substantive Changes to Probate, Mental Health and Adoption Rules 6-17-97

1). I. Subchapter 5.760 - Guardianship, Conservatorship and Protective Order Proceedings: 1. Rule 5.763 - Proceeding of Temporary Guardianship: Subrule (2) was added to provide for

<http://courts.co.calhoun.mi.us/ru061797.htm>

106. Petitioning for the Guardian of an Adult procedure for a temporary guardianship will be discussed in a subsequent note.

<http://courts.co.calhoun.mi.us/note0042.htm>

107. Adoption - How may a guardian adopt a minor ward?

We live here in Michigan and have full guardianship of our 17 month old grandson. My question is what steps do we need to go through to adopt him?

<http://courts.co.calhoun.mi.us/quest802.htm>

109. May the guardian of the sole beneficiary of a decedent estate receive an...

<http://courts.co.calhoun.mi.us/epic0499.htm>

110. Child Support - Are the income and circumstances of a third party custodian of... I have legal guardianship of my grandchild (maternal side). A hearing is coming before the judge requesting monetary support from the ..

<http://courts.co.calhoun.mi.us/quest571.htm>

111. Representative Payee - Does a representative payee have control over all the... I am involved in and seeking guardianship and conservatorship of my mother. I have returned after three years to Michigan to find my brother has had ..

<http://courts.co.calhoun.mi.us/quest660.htm>

112. Estate and Protected Individuals Code

p. Provide, in general, that the procedural protections in guardianship proceedings apply to conservatorship, e.g. right to independent exam, closed hearing, moving site of hearing

<http://courts.co.calhoun.mi.us/386pa98.htm>

113. Probate Review for 1999

Probate Judge, ___Mich App___ (1999) #207270, 8-20-99 GUARDIANSHIP - MINOR - POWER OF ATTORNEY - JURISDICTION In the Matter of Zachary Martin, A Minor, ___Mich App___ (1999) #214400

<http://courts.co.calhoun.mi.us/99review.htm>

114. Testamentary (by will) Appointment of a Guardain of a Minor

<http://courts.co.calhoun.mi.us/note0054.htm>

116. Court Appointed Attorneys

involving a mentally ill or developmentally disabled person. In all guardianship and conservatorship cases, the court will appoint a guardian ad litem. A guardian ad litem, is a person..

<http://courts.co.calhoun.mi.us/ctinf028.htm>

117. Probate Review for 2003

___ Mich App ___ (2003), #236421, 6/26/03 May MINOR GUARDIANSHIP - PERMIT THE MINOR TO RESIDE - MINOR Deschaine v St Germain, et. al., ___ Mich App ___ (2003), #244135, 5/29/03 April

<http://courts.co.calhoun.mi.us/03review.htm>

118. Child Support - If I get custody of my niece can I get child support from her parents?

<http://courts.co.calhoun.mi.us/quest261.htm>

119. Conservatorship - How long should a conservator keep records?

<http://courts.co.calhoun.mi.us/quest570.htm>

120. A third party does not have standing in a child custody action under MCL 722.26c...

Mom s sister and mother filed for and were granted a guardianship over Cameron the same day that dad filed his ex parte request for custody.

<http://courts.co.calhoun.mi.us/04dom006.htm>

121. There is a fundamental constitutional presumption that parental custody serves...April 1, 1999, the children s stepfather was granted temporary guardianship over them, which became full at a later hearing. The father did not appeal this decision. After that,

<http://courts.co.calhoun.mi.us/01dom021.htm>

122. What are the consequences to a purchaser who buys real estate from a conservator...A. MCR 700.5423(3) was added as part of guardianship reform legislation which took effect June 1, 2001. This provision mandates a process for court approval of the sale of

<http://courts.co.calhoun.mi.us/epic0471.htm>

123. Calhoun County Probate Court

Hospital care of alleged mentally ill persons and guardianship proceedings for the developmentally disabled.

<http://courts.co.calhoun.mi.us/proba003.htm>

125. May a parent appoint a guardian in her will for her child where she was never married to the child's father and has sole physical and legal custody of the child?

<http://courts.co.calhoun.mi.us/epic0388.htm>

126. Power of Attorney - What can be delegated by a guardian of a minor by power of attorney? Is the attorney in fact responsible to pay for services secured under such power of attorney?

<http://courts.co.calhoun.mi.us/quest440.htm>

128. The Durable Power of Attorney

<http://courts.co.calhoun.mi.us/book023.htm>

129. Estate Planning with Living Trusts

<http://courts.co.calhoun.mi.us/book011.htm>

130. 2001 Juvenile Review - Menu

PETITIONERS FOR ADOPTION HAD STANDING TO REQUEST TERMINATION OF GUARDIANSHIP In the Matter of Markia Victoria Bancroft, UNPUBLISHED (Court of Appeals No. 226828, February 9, 2001

<http://courts.co.calhoun.mi.us/01juv000.htm>

131. Handbook for Conservators of Adults

There are separate court petitions for guardianship and conservatorship, though the petitions may be considered by the court at the same hearing.

<http://courts.co.calhoun.mi.us/book036a.htm>

132. Family Court Plan. A conservatorship or guardianship which is ancillary to a pending case defined in A, B, C, or D above.

<http://courts.co.calhoun.mi.us/fcplan.htm>

135. Domestic Relations - What rights does a step grandparent have to custody?

<http://courts.co.calhoun.mi.us/questdom.htm>

136. Handbook for Guardians of Adults - Part 3

Detailed information about guardianship and duties of guardian

<http://courts.co.calhoun.mi.us/book037c.htm>

137. Minors - When can a minor decide where he or she lives?

<http://courts.co.calhoun.mi.us/quest184.htm>

138. Patient Advocate - May a patient advocate be authorized to admit an individual to a nursing home?

<http://courts.co.calhoun.mi.us/quest414.htm>

139. Probate Court

Description of Michgian probate courts

<http://courts.co.calhoun.mi.us/ctinf004.htm>

140. Guardian - Must a guardian or guardian ad litem consult with the family before making a decision?

<http://courts.co.calhoun.mi.us/quest741.htm>

141. Guardians - What are the qualifications for a professional guardian or conservator? How do they get appointed?

<http://courts.co.calhoun.mi.us/quest555.htm>

142. Amendment requiring a guardian of a legally incapacitated individual to consult with the ward before making major decisions

<http://courts.co.calhoun.mi.us/467pa00.htm>

143. Article V, Part 3 Guardians of Incapacitated Individuals - Menu
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Article V, Part 3 Guardians of Incapacitated Individuals

<http://courts.co.calhoun.mi.us/epic5-3.htm>

144. May a personal representative nominate an individual to serve as guardian ad litem in a decedent estate?

<http://courts.co.calhoun.mi.us/epic0383.htm>

145. May a guardian of a legally incapacitated individual delegate duties under a durable power of attorney?

<http://courts.co.calhoun.mi.us/epic0123.htm>

146. Who must be served with a conservator's accounting?

<http://courts.co.calhoun.mi.us/epic0167.htm>

147. Probate court may not grant guardians authority to consent to minor ward's adoption absent prior termination of parent's rights

<http://courts.co.calhoun.mi.us/02juv002.htm>

148. Amendments to Estate and Protected Individuals Code regarding the authority and power of guardians of adults and procedure for appointment

<http://courts.co.calhoun.mi.us/312pa00.htm>

149. Amendment to Estates and Protected Individuals Code regarding report on condition of ward

<http://courts.co.calhoun.mi.us/313pa00.htm>

150. All EPIC Questions and their Answers
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<http://courts.co.calhoun.mi.us/epicall.htm>

158. May the owner of a foster care home where an individual resides be appointed be appointed as guardian and/or conservator for that individual?

<http://courts.co.calhoun.mi.us/epic0145.htm>

159. May a guardian sign a settlement and release agreement binding the legally incapacitated individual?

<http://courts.co.calhoun.mi.us/epic0418.htm>

160. Minors - When may a minor live with a third party?

When may a minor live with a third party?

<http://courts.co.calhoun.mi.us/quest083.htm>

163. Michigan Court Rules - Chapter 5

310) 0181 Is it possible to change venue in a guardianship or conservatorship from the county where the ward resides to the county where the guardian or conservator resides?

<http://courts.co.calhoun.mi.us/epicrule.htm>