

In the matter of \_\_\_\_\_  
First, middle, and last name

1. I have been appointed by the court as guardian ad litem, and I accept this appointment.

2. I have performed the duties required by **MCL 700.5306**, including the following:

a. Reviewed the Oakland County Probate Court file, including the confidential file.

b. Reviewed the Internet Criminal History Access Tool Report (ICHAT).

c. Investigated the existence and reviewed any POA or PAD in existence.

d. Confirmed all interested parties in the matter.

e. Confirmed the proof of service has been filed with the court.

f. Investigated the assets of the ward. The assets of the ward are as follows: \_\_\_\_\_

3. I visited the alleged incapacitated individual on \_\_\_\_\_ at \_\_\_\_\_  
Date Location

To the extent that the individual could comprehend, I explained the nature, purpose, and legal effects of a guardian's appointment and otherwise complied with each provision of **MCL 700.5305(1)**, including:

a. The individual alleged to be incapacitated  does wish  does not wish to be present at hearing.

b. Any less restrictive alternatives to the appointment of a full guardian, including the appointment of a guardian with limited powers or the execution of a power of attorney and/or patient advocate.

c. The individual  does object  does not object to guardian having authority to execute a DNR.

d. The individual  objects to the appointment of the fiduciary.  
 objects only to the nominee and would prefer \_\_\_\_\_ appointed.  
Preferred Fiduciary

4. I recommend the following:

a. Denial of the petition

b. Appoint \_\_\_\_\_ as  Temporary Guardian  Special Conservator

c. Appoint \_\_\_\_\_ as  Limited Guardian  Limited Conservator

The Limited Powers recommended are: \_\_\_\_\_

d. Appoint \_\_\_\_\_ as  Full Guardian  Full Conservator

e. \_\_\_\_\_, upon appointment as \_\_\_\_\_, file with the court a

Personal bond \$ \_\_\_\_\_  Surety bond \$ \_\_\_\_\_ (pursuant to MCL 700.5410)

In lieu of bond, funds in restricted account

5. Narrative report, which details my visit, findings and recommendations is attached:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
Name (type or print)

\_\_\_\_\_  
City, state, zip Telephone no.

Do not write below this line – For court use only

FILED \_\_\_\_\_ 20 \_\_\_\_\_

Deputy Register of Probate

## DUTIES OF GUARDIAN AD LITEM

Your duties as guardian ad litem include all of the following:

1. Visit the individual alleged to be incapacitated.
2. Explain to the individual the nature, purpose, and legal effects of the appointment of a guardian.
3. Give the individual form PC 626 that outlines the rights in MCL 700.5306a(1).
4. Inform the individual that if a guardian is appointed, the guardian may have the power to execute a do-not-resuscitate order and/or physician orders for scope of treatment (POST) form on behalf of the individual.
5. Explain to the individual the hearing procedure and the individual's right in the hearing procedure, including but not limited to:
  - a. the right to contest the petition.
  - b. the right to request limits on the guardian's powers, including a limitation on the power to execute a do-not-resuscitate order and/or a physician orders for scope of treatment (POST) form on behalf of the individual.
  - c. the right to object to a particular person being appointed guardian.
  - d. the right to be present at the hearing.
  - e. the right to be represented by a legal counsel and that legal counsel will be appointed for the person if s/he is unable to afford legal counsel.
6. Inform the individual of the name of any person know to be seeking appointment as guardian.
7. Ask the individual and the petitioner about the amount of cash and property readily convertible into cash that is in the individual's estate.
8. Make determinations and inform the court of those determinations, on all the following:
  - a. whether the individual alleged to be incapacitated wishes to be present at the hearing.
  - b. whether the individual alleged to be incapacitated wishes to contest the petition.
  - c. whether the individual alleged to be incapacitated wishes limits be placed on the guardian's powers.
  - d. whether the individual alleged to be incapacitated objects to having a do-not-resuscitate order and./or physician orders for scope of treatment (POST) form executed on his or her behalf.
  - e. whether the individual alleged to be incapacitated objects to a particular person being appointed guardian.
  - f. whether there is one or more appropriate alternatives to the appointment of a full guardian or whether other action should be taken in addition to the appointment of a guardian after considering:
    - i. appointment of a limited guardian, including the specific powers and limitation on those powers the guardian ad litem believes appropriate.
    - ii. appointment of a conservator or another protective order under 700.5401 *et seq.*
    - iii. execution of a patient advocate designation, do-not-resuscitate declaration, physician orders for scope of treatment form, or durable power of attorney with or without limitations on purpose, authority or duration.
    - iv. available support from family members. Family members may often take responsibility for the care of an individual. Also, if the individual should be diagnosed as having a reduced life expectancy because of an advanced illness, state law allows a member of the individual's immediate family or next of kin to make informed decisions regarding the individual receiving, continuing, discontinuing and refusing medical treatment and may choose palliative treatment and adequate and appropriate pain and symptom management.

In the report informing the court of the determinations, include an estimate of the amount of cash and property readily convertible that is in the individual's estate.

whether a disagreement or dispute related to the guardianship petition might be resolved through court-ordered mediation.