

Fig. 15.2. Sample Petition for Appointment of Guardian of Minor (page 1)

Approved, SCAO

STATE OF MICHIGAN PROBATE COURT COUNTY CIRCUIT COURT - FAMILY DIVISION	PETITION FOR GUARDIAN OF MINOR	FILE NO.
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In the matter of _____, a minor

Social security no. _____

1. I, _____, am interested in the welfare of the minor and make this

Name (type or print)

petition as _____

Relationship to minor (i.e. grandparent, uncle, friend, limited guardian, etc.)

2. The minor was born _____, is unmarried, resides in _____

Date

County

at _____

Address

City/Township

_____, and is presently located in _____

State, zip

County

at _____

Address (only if different than above)

City/Township

State, zip

3. The persons interested in this proceeding are:

NAME	RELATIONSHIP	ADDRESS
	Father/Age _____	
	Mother/Age _____	
	Conservator	
	Guardian	
	Person with care/ custody of minor*	

*also list persons who had principal care and custody of minor during the two months preceding filing of petition

If neither parent is living, the names and addresses of the minor's nearest of kin who are adults are:

NAME	RELATIONSHIP	ADDRESS

None of these persons is under any legal incapacity except (give name, incapacity, and representative of the person if any):

(PLEASE SEE OTHER SIDE)

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250 MICHIGAN CHILD WELFARE LAW

PC 651 (4/00) PETITION FOR APPOINTMENT OF GUARDIAN OF MINOR

☐ 4. An action within the jurisdiction of the family division of circuit court involving the family or family members of the minor has been previously filed in _____ Court, Case Number _____, was assigned to Judge _____, and ☐ remains ☐ is no longer pending.

☐ 5. The minor is a member of/eligible for membership in an American Indian tribe/band: _____
Name of tribe/band

6. The minor is in need of a guardian because:

- a. ☐ The parental rights of both parents or of the surviving parent have been terminated or suspended by:
- | | |
|--|---|
| <input type="checkbox"/> death (certificate attached). | <input type="checkbox"/> a prior court order other than an order appointing a |
| <input type="checkbox"/> disappearance. | limited guardian of the minor (copy attached) |
| <input type="checkbox"/> confinement in a place of detention. | <input type="checkbox"/> judgment of divorce or separate maintenance (copy attached). |
| <input type="checkbox"/> judicial determination of mental incompetency (order attached). | |

OR

- b. ☐ The parent(s) permit the minor to reside with another person and do not provide that other person with the legal authority for the care and maintenance of the minor and the minor is not residing with a parent at this time.

OR

- c. ☐ The biological parents of the minor were never married to each other and _____ the custodial parent ☐ died ☐ has disappeared since _____, and the other parent has not been granted legal custody by court order. The proposed guardian is related to the minor within the fifth degree by marriage, blood or adoption.

☐ 7. A temporary guardian is necessary because: _____

I REQUEST:

8. _____ whose address is _____
Name Address
_____ be appointed guardian of the minor.
City/Township State Zip Telephone no.

9. The court order the parent(s) to provide reasonable support for and visitation and contact with the minor.

I declare under the penalties of perjury that this petition has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date

Signature of petitioner

Address

City, state, zip

Date

Signature of petitioner

Address

City, state, zip Telephone no.

10. I am 14 years of age or older. I nominate _____ as my guardian
Name
who lives at _____
Address City State Zip

Date

Attorney signature

Attorney name (type or print) Bar no.

Signature of minor

Address

City, state, zip Telephone no.

Fig. 15.3. Sample Limited Guardianship Placement Plan (page 1)

Approved, SCAO

STATE OF MICHIGAN PROBATE COURT COUNTY CIRCUIT COURT - FAMILY DIVISION	LIMITED GUARDIANSHIP PLACEMENT PLAN	FILE NO.
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In the matter of _____, a minor

Special Note in Completing Form:

Each custodial parent who signs this plan is agreeing to all the conditions of the plan even though each item refers to a single person. When more than one parent enters into this agreement and they differ from one another in any area of the plan, each parent must complete their own plan on separate forms. For example:

* If they differ in their reasons for the guardianship, each parent must specify their own reasons.

NOTICE: This guardianship will not be terminated without a court finding that the termination is in the best interest of the child.

☐ This plan modifies a limited guardianship placement plan previously approved by the court.

As custodial parent, I desire to establish a limited guardianship for my child and agree to the following plan:

1. The reason I want a limited guardianship is:

- ☐ To enable my child to attend school in the proposed guardian's school district.
☐ To provide health insurance through the proposed guardian.
☐ I will be or am incarcerated until _____.
☐ I am currently without housing adequate for my child.
☐ I am unable to care for my child because of my health.
☐ I am unable to care for my child because of my mental instability.
☐ I desire an alternative to action recommended by child protective services.
☐ I have lost substantial control of my child's behavior.
☐ I need to improve my parenting skills.
☐ The minor's physical needs for food, clothing, and housing may best be met by the proposed guardian.
☐ To comply with the requirement of the ☐ Reserves. ☐ Armed Forces.
☐ Other:

2. Visits and contact with my child will be sufficient to maintain my parent and child relationship and will be as follows:

- ☐ I will visit my child on: (please circle each day you plan to visit) Su M Tu W Th F Sa
 from: (please specify the time and circle either a.m. or p.m.) _____ ☐ a.m. ☐ p.m. to _____ ☐ a.m. ☐ p.m.
☐ I will visit my child _____ times each ☐ week. ☐ month.
☐ Visits will occur at ☐ my residence. ☐ the proposed guardian's residence. ☐ _____.
☐ Telephone contact will take place ☐ daily. ☐ weekly. ☐ monthly. ☐ _____.
☐ Letters will be sent ☐ daily. ☐ weekly. ☐ monthly. ☐ _____.
☐ I will attend my child's school conference provided I receive timely notice of the conference.
☐ I will attend counseling with my child.
☐ I will participate in and arrange positive outings with my child ☐ daily. ☐ weekly. ☐ monthly ☐ _____.
☐ I will provide transportation for my child for _____.
☐ I will attend all doctor/dental appointments for my child (excluding emergencies).
☐ Transportation to and from visits with my child will be the responsibility of: _____.
☐ Collect telephone calls will be accepted at number _____.
☐ Other:

SEE OTHER SIDE FOR REMAINING PLANS

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Approved:

Date

Judge

Fig. 15.4. Sample Order Appointing Guardian of A Minor

Approved, SCAO

STATE OF MICHIGAN PROBATE COURT COUNTY _____ CIRCUIT COURT - FAMILY DIVISION	ORDER APPOINTING <input type="checkbox"/> GUARDIAN <input type="checkbox"/> LIMITED GUARDIAN OF A MINOR	FILE NO.
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In the matter of _____, a minor

 1. Date of hearing: _____ Judge: _____
Bar no
THE COURT FINDS:

2. Notice of hearing was given to or waived by all interested persons, venue is proper, and a qualified person seeks appointment.

☐ 3. The above named minor is unmarried and is in need of a guardian because:☐ a. parental rights of both parents or of the surviving parent have been☐ terminated☐ suspended by:☐ prior court order.☐ judgment of divorce or separate maintenance.☐ death.☐ judicial determination of mental incompetency☐ disappearance.☐ confinement in a place of detention.
 or ☐ b. the parent(s) permit the minor to reside with another person and do not provide the other person with the legal authority for the care and maintenance of the minor who was not residing with a parent when the petition was filed.

 or ☐ c. the biological parents of the minor were never married to each other, the custodial parent has

☐ died ☐ disappeared and the other parent has not been granted legal custody by court order. The proposed guardian is related to the minor within the fifth degree by marriage, blood, or adoption.
☐ 4. The above named minor is unmarried, and the custodial parent(s) consented to the appointment of a limited guardian and voluntarily consented to suspension of parental rights. A limited guardianship placement plan has been filed and approved.

5. The welfare of the minor will be served by the appointment,

☐ and by ☐ payment of reasonable support. ☐ reasonable parenting time and contact by the parent(s).☐ 6. There is no qualified, suitable individual willing to act as guardian and the appointment of a nonprofit corporation as guardian is in the best interest of the minor. A personal bond must be filed.**IT IS ORDERED:**
 7. _____, whose address and telephone number are:
 Name (type or print)

Address _____ City _____ State _____ Zip _____ Telephone no. _____

 is appointed ☐ full ☐ limited ☐ temporary guardian of the minor named above, and an acceptance of appointment shall be filed. ☐ Personal bond at \$ _____ must be filed.
8. This appointment is ☐ regular. ☐ temporary, expiring on _____.9. Parenting time shall be ☐ as stated in the placement plan. Date _____☐ _____10. Child support shall be paid as follows: ☐ as stated in the placement plan.☐ father: _____ ☐ mother: _____

11. Other: _____

Date_____
Judge_____
Attorney name (type or print) Bar no.

Address _____ City _____ State _____ Zip _____ Telephone no. _____

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