



Macomb County Probate Court

Probate Judges:

JAMES M. BIERNAT JR., *Chief Judge*
SANDRA A. HARRISON, *Presiding*
SARA A. SCHIMKE

Deputy Court Administrator/Register

JOHN D. BRENNAN

QUIRKS OF THE MACOMB COUNTY PROBATE COURT

1. To be on the Court's court appointed list, you must be willing to take appointments for GAL/LGAL, court appointed attorney (GA, MI and DD), and guardianship reviews.
2. GALs do not appear for the hearing if their written reports are submitted timely, unless specifically requested by the Court.
3. Emergency Petition for Guardianship of an Adult.
 - a. The Court will first take testimony on the emergency petition, then continue the hearing for about 48 hours, and appoint an emergency GAL to immediately visit and interview the ward, the ward's family and medical providers.
 - b. As emergency GAL, you are expected to serve the proposed ward with the petition and notice of hearing, and file a proof of service with the court.
 - c. Your report must make two recommendations: for the emergency petition for temporary guardian, and for the full guardianship.
 - d. After the emergency GAL report is received and reviewed, the Court will decide on the emergency portion of the petition without an additional hearing, and appoint a temporary guardian if appropriate.
 - e. The full hearing on the petition will be held within 28 days of the filing of the petition.
4. It is the court appointed attorney's responsibility to request an interpreter if needed by their client. The request must be made in advance of the hearing. Submit your request by contacting Court Administrator John Brennan.
5. Inventories and Accounts:
 - a. Are initially reviewed by the Court Analysts.
 - b. Inventories must have written date death/appointment verification of all values.
 - c. Accounts must include written verification of income, expenses and remaining assets, including copies of bank statements, etc.
 - d. If possible, use sample x-cell spreadsheet (see court website)
6. Uncontested account hearings are held by the Court Attorney, without appearance by the attorney or interested persons. Therefore, you *must* send your proof of service and proposed order to the Court in advance of the hearing day. Failure to do so may result in your account hearing being adjourned or denied.

7. Court appointed attorneys are not allowed to have other attorneys in their firm, or with whom they share office space, to cover their appointment unless the coverage attorney is also on our court approved appointment list.
8. Gal reports as general rule are to be filed 7 days before hearing and delivered by mail or in person to Area B of the Probate Court on the 5th floor.
9. Macomb County Probate Court has an Agreement form for release of confidential documents which must be signed by attorney if request for confidential medical. Form developed during covid pandemic.
10. Various different notice of hearing forms used by MCPC: PC 562 NOTICE OF HEARING Judge and/or Minor guardianship; PC 562 NOTICE OF HEARING; and PC 562 NOH-COURT ATTORNEY No appearance docket.