

STATE OF MICHIGAN PROBATE COURT COUNTY OF MACOMB	ORDER REGARDING APPOINTMENT OF CONSERVATOR <input type="checkbox"/> ADULT <input type="checkbox"/> MINOR	FILE NO.
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Estate of _____, a protected individual
First, middle, and last name

1. Date of hearing: _____ Judge: _____ Bar no.

THE COURT FINDS:

2. Notice of hearing was given to or waived by all interested persons.

3. The individual is not in need of a conservator.

4. Upon presentation of clear and convincing evidence, the **adult** individual is in need of a conservator because s/he is unable to manage his/her property and business affairs effectively because of

<input type="checkbox"/> mental illness.	<input type="checkbox"/> mental deficiency.	<input type="checkbox"/> physical illness or disability.
<input type="checkbox"/> chronic use of drugs.	<input type="checkbox"/> chronic intoxication.	<input type="checkbox"/> confinement.
<input type="checkbox"/> detention by a foreign power.	<input type="checkbox"/> disappearance.	<input type="checkbox"/> other: _____

and a. the individual has property that will be wasted or dissipated unless proper management is provided, or
 b. money is needed for the support, care, and welfare of the individual or those entitled to be supported by the individual and that protection is necessary to obtain or provide the money.

5. The individual is mentally competent but because of age or physical infirmity is unable to manage his or her property and affairs effectively and, recognizing this disability, has requested a conservator's appointment.

6. Upon presentation of clear and convincing evidence, the **minor** individual is in need of a conservator because the minor

- a. owns money or property that requires management or protection that cannot otherwise be provided.
- b. has or may have business affairs that may be jeopardized or prevented by the person's minority.
- c. needs money for support and education, and protection is necessary or desirable to obtain or provide money.

7. It is in the ward's best interests for the guardian to sell or otherwise dispose of the ward's real property or interest in real property. The guardian should be appointed as special conservator to petition for sale of the real estate.

8. There is no qualified, suitable individual willing to act as conservator and the appointment of a professional conservator is in the best interests of the adult or minor. A bond must be filed.

9. The value of cash and property that is readily convertible into cash in the estate exceeds the limit for administering the estate under MCL 700.3982.

- a. Bond must be filed.
- b. Bond is not required under MCL 700.5410(1) because
 - the estate contains no property readily convertible to cash, and the cash is already in a restricted account with a financial institution or will be deposited in a restricted account.
 - the conservator has trust powers pursuant to MCL 487.14401.
 - requiring a bond would impose a financial hardship on the estate.
 - other: Court will review the need for a bond at the time of filing of the inventory.

(SEE SECOND PAGE FOR ORDER)

Do not write below this line - For court use only

IT IS ORDERED:

10. The petition for conservator is granted. denied on the merits. dismissed/withdrawn.
The conservator is not permitted to act until letters of conservatorship are issued.

11. _____, whose address and telephone number are
Name (type or print)
_____, is appointed
Address City State Zip Telephone no.

a. conservator of all assets of the individual's estate.

b. limited conservator of the following assets: _____
_____. The individual retains title to all other assets in the estate.

c. special conservator with authority to proceed under MCL 700.5423(3) in order to dispose of real property.

An acceptance of appointment is to be filed.

Bond at \$ _____ must be filed.

\$ _____ shall be deposited in a restricted account. (Verification must be filed using form PC 669 pursuant to MCR 5.409[C][4].)

The conservator is not permitted to act until letters of conservatorship are issued. After qualification, the conservator shall comply with all relevant requirements under the law.

12. The conservator is not required to file an annual account.

13. The attorney guardian ad litem for the individual is discharged.

14. **IT IS FURTHER ORDERED:** No further annual accounts shall be required. In lieu of annual accounts, the Conservator shall file *PC 669 Proof of Restricted Account and Annual Verification of Funds on Deposit* with a copy of the corresponding financial institution statement attached per MCL 5409(C)(4). A final account is still required when minor turns 18.

Date

Judge

Attorney name (type or print) Bar no.

Address

City, state, zip Telephone no.