

# **LEGALLY INCAPACITATED INDIVIDUAL GUARDIANSHIPS**

**PLEASE NOTE THAT THE COURT IS NOT ALLOWED TO GIVE LEGAL ADVICE OR HELP  
YOU FILL OUT THESE FORMS  
IF YOU NEED ASSISTANCE, PLEASE CONSULT AN ATTORNEY.**

## **FEES:**

- THE INITIAL FILING FEE OF **\$150.00** IS DUE AT THE TIME OF FILING BASED UPON THE [PROBATE COURT FEE SCHEDULE](#).
- CERTIFIED LETTERS OF GUARDIANSHIP ARE **\$12.00** EACH ACCORDING TO THE [PROBATE COURT FEE SCHEDULE](#).

## **FORMS INCLUDED IN THIS PACKET:**

- [What You Need to Know Before Filing a Petition to Appoint a Guardian for an Incapacitate Adult PC 666](#)
- [Petition for Appointment of Guardian of Incapacitated Individual and Instruction PC 625](#)
- [Report of Physician PC 630](#)

These forms and additional SCAO approved forms are available and can be viewed, printed, and completed at <http://courts.michigan.gov>.

## **DEFINITION OF A LEGALLY INCAPACITATED INDIVIDUAL:**

A person, other than a minor, who is impaired by reason of mental illness, mental deficiency, physical illness or disability, chronic use of drugs, chronic intoxication, or other cause, to the extent that the person lacks sufficient understanding or capacity to make or communicate informed decisions.

## **INTERESTED PERSONS**

Interested persons need to be listed on the petition. It is extremely important that all interested parties be included and their proper addresses given. If an interested person is missed or not properly served, the hearing can not be held. The parties interested in the appointment of guardian of a legally incapacitated individual are:

- the alleged legally incapacitated individual
- if known, a person named as attorney in fact under a durable power of attorney
- the alleged legally incapacitated individual's spouse
- the alleged legally incapacitated individual's children or, if no child is living, the individual's parents
- if no spouse, child, or parent is living, the presumptive heirs of the individual
- the person who has the care and custody of the alleged legally incapacitated individual
- the nominated guardian.