

# OAKLAND COUNTY PROBATE COURT

1200 N. TELEGRAPH RD. , DEPT 457  
PONTIAC, MI 48341-0457

Telephone (248) 858-0260  
Business hours: 8:00 a.m. to 4:30 p.m.  
Monday – Friday  
[www.oakgov.com/probate](http://www.oakgov.com/probate)

## INFORMATION SHEET FOR PETITIONS FOR APPOINTMENT OF GUARDIANS/CONSERVATORS OF ADULTS

Once you have filed a Petition, many steps must be completed before the court hearing. Please study this information sheet carefully for guidance on what needs to be done after you leave the Courthouse today. **The Probate Court staff will assist you if you have further questions about procedures, however, staff is prohibited from offering legal advice.**

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### SERVICE

**IT IS YOUR RESPONSIBILITY TO “SERVE” ALL INTERESTED PERSONS WITH A COPY OF THE PETITION AND NOTICE OF HEARING. IF YOU DO NOT COMPLETE SERVICE, YOUR PETITION WILL BE DISMISSED, AND YOU WILL HAVE TO START THE PROCESS ALL OVER BY FILING A NEW PETITION. A NEW FILING FEE WOULD BE REQUIRED.**

**Personal Service** means delivering copies to the individual in person.

**Service by Mail** means mailing copies (only first class mail is required).

**Publication** Is required for persons whose address or whereabouts are unknown.

The alleged incapacitated individual and/or alleged protected individual must be served personally:

- At least 24 hours prior to an emergency hearing for a temporary guardian and/or special conservator.
- At least 7 days prior to the regular hearing for a guardian and/or conservator.

Other interested persons must be served:

- At least 14 days prior to the hearing if service is by mail or publication.
  - At least 7 days prior to the hearing if served personally.
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### INTERESTED PERSONS

#### **Interested Persons on a Petition for Appointment of Guardian of Incapacitated Individual**

- The alleged incapacitated individual.
- Other persons listed in #4, #8, #9, #10, #11, #12, and #14 of the Petition for Appointment.
- Depending on the facts of the case, there may be additional interested persons.

#### **Interested Persons on a Petition for Appointment of Conservator or Protective Order**

- The individual alleged to need protection.
  - Other persons listed in #4, #8, #9, #10, #13, and #17 of the Petition.
  - Depending on the facts of the case, there may be additional interested persons.
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- Please see other side for other important information.

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**GOVERNMENT  
AGENCY  
ADDRESS**

When any of the following are parties of interest on your petition, they must be served, either personally or by mail at:

**VETERANS ADMINISTRATION**

Mr. Dean Slicer  
FIDUCIARY HUB  
575 N. PENNSYLVANIA STREET  
INDIANAPOLIS, IN 46204

**ATTORNEY GENERAL**

Michigan Department of Attorney General  
Public Administration Division  
P.O. Box 30755  
Lansing, MI 48909

**SOCIAL SECURITY ADMINISTRATION**

1280 PONTIAC ROAD  
PONTIAC, MI 48340

**MICHIGAN DEPARTMENT OF  
HEALTH AND HUMAN SERVICES**

51111 WOODWARD AVE.  
PONTIAC, MI 48342-5036

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**PROOF OF  
SERVICE/  
WAIVER &  
CONSENT**

**You, the Petitioner, must file a *Proof of Service* form with the court on or before the day of the hearing or your Petition will be dismissed.** It must show when and how the interested persons were served. Note the separate sections for “Service by Mail” and “Personal Service” and use them accordingly. **Your Petition will be dismissed unless the interested persons have either been served, or have signed a “*Waiver and Consent*.”** If you have filed for both guardianship and conservatorship, you will need a separate original Proof of Service or Waiver and Consent for each file.

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**GUARDIAN  
AD LITEM**

The court must, by law, appoint a Guardian ad Litem (GAL) to represent the interest of the alleged legally incapacitated individual and/or alleged protected individual unless the person has his/her own attorney. It will be the GAL’s responsibility to visit the person, attend the hearing, file a written report, and make a recommendation as to whether or not a guardian and/or conservator is needed. The GAL will generally call to make an appointment to visit the alleged incapacitated individual and/or alleged protected individual.

The GAL is not an employee of the court but a licensed practicing attorney assigned by the court. The GAL bills the estate of the alleged protected individual at his/her normal hourly rate whether or not the petition is granted. An itemized statement should be part of the bill. Any fee disputes should be discussed with the attorney before they are brought to the attention of the court.

If it is an indigent estate, the county will be billed for the legal services of the Guardian ad Litem.

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**HEARING  
DATE**

Your Petition will probably be set for hearing on the assigned judge’s “motion day”. Your Notice of Hearing form displays the correct date, time, place, and assigned Judge. You, the Petitioner, must attend the hearing or your Petition will be dismissed. The alleged incapacitated individual and/or alleged protected individual also must attend the hearing unless the GAL is prepared to waive his/her presence in court.

If the matter is being set for a remote, “zoom” hearing, check-in will be held on-line. See the court’s website for the assigned judge’s log-in information.

If the matter is being held in-person, proceed to the courtroom, and check in with the Judge’s clerk. Do not report to the probate counter before your hearing.

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**AFTER THE  
HEARING**

After the hearing, a copy of the court order must be served on all interested parties. In addition, please be sure to complete any additional paperwork and/or obtain the Letters of Guardianship and/or Conservatorship. Certified Letters of Guardianship and Conservatorship are \$12.00 each.

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**FILING FEES**

The filing fee on a *Petition for Appointment of a Guardian* is \$175.00

The filing fee on a *Petition for Appointment of a Conservator* is \$175.00

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