

## FORMS FOR GUARDIANSHIP OF AN INCAPACITATED INDIVIDUAL

COURT STAFF IS PROHIBITED BY LAW FROM GIVING LEGAL ADVICE, IF YOU HAVE ANY LEGAL QUESTIONS DURING THIS PROCESS PLEASE CONTACT AN ATTORNEY.

**Forms must be filled out completely and uploaded to MiFile ([mifile.court.michigan.gov](http://mifile.court.michigan.gov)\login). Keep copies for your own record.**

### **Step One: Initial Filing-***Payment of \$175.00 is due at the time of filing online*

Documents Included:

- Petition for Appointment of Guardianship of an Incapacitated Individual (PC 625)-In Order to begin the guardianship process you will need to upload the completed petition on MiFile along with your payment of \$175.00.
- Notice of Rights to Alleged Incapacitated Individual (PC 626) - this form must be served upon the individual who is the subject of the petition along with a copy of the Petition for Appointment of Guardianship. This form explains to them the process of guardianship and outlines their rights.

**Step Two:** Once you have received confirmation from MiFile that the Court has accepted your petition please complete the following forms.

Documents Included:

- Notice of Hearing (PC 562) -please call the Court to schedule a hearing date and time.
- Proof of Service (PC 564) -this form tells the Judge that you sent copies of the Petition to Appoint Guardian and Notice of Hearing to all interested parties. Please make all necessary copies of your petition and notice of hearing (including one for yourself and one for each interested party). Interested parties include but may not be limited to the following:
  - Alleged incapacitated individual or the incapacitated individual
  - If known, a person named as attorney in fact under a durable power of attorney
  - Spouse and children of the ward (if no spouse or children, then the heirs at law)
  - If no known heirs you must notify the Attorney General's office
  - The person who has the care and custody of the alleged incapacitated individual or of the incapacitated individual
  - The current, proposed and or nominated guardian
  - If known by the petitioner or applicant, a guardian or conservator appointed by a court in another state to have care and control of the incapacitated individual
  - If the adult is a veteran, the Veteran Administration needs to be notified

Complete the proof of service by filling in the names and last known addresses of each person served under the appropriate heading; by regular mail or electronic service through MiFile and include the date the service was made. **The Court requires that all interested persons be served the required documents no less than 14 days prior to the scheduled hearing if serving by regular mail and no less**

OTTAWA COUNTY PROBATE COURT  
12120 FILLMORE STREET  
WEST OLIVE, MI 49460

Hours: Mon-Fri 8:00 AM-5:00 PM  
Phone: 616-786-4110  
Website: [www.miottawa.org](http://www.miottawa.org)

than 7 days before the scheduled hearing if serving by hand (in person). Do not forget to sign and date the bottom of the form.

**\*\*\*STOP AND PLEASE READ\*\*\***

**You must make every effort to obtain last known addresses for the people you are required to serve, if you do not know an address you must do the following:**

- Complete an internet search, if possible
- Send to last known address
- Contact any known family members of the person in order to obtain a last known address

**Once you have completed these steps please fill in Number 4 on Proof of Service.**

- Acceptance of Appointment (PC 571)-This is signed by the proposed guardian(s); this lets the Court know that the person accepts the guardianship and its responsibilities.

**Forms Needed for Future Filings:**

Documents Included:

- Annual Report of Guardian on Condition of Legally Incapacitated Individual (PC 634) - This report is due to the Court annually.
- Proof of Service (PC 564)-this form tells the Judge that you sent copies of the Annual Report of Guardianship on Condition to Legally Incapacitated Individual to all interested parties. Please make all necessary copies of your report (including one for yourself and one for each interested party). Interested parties include but may not be limited to the following:
  - the ward
  - the person who has principal care and custody of the ward
  - the spouse and adult children, or if no adult children are living, the presumptive heirs of the individual

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