



Juvenile Guardianship FAQ's

**Kelly Howard, Manager, Child Welfare
Services, State Court Administrative Office**

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Juvenile Guardianship Court Rules and Forms



- **New Court Rule MCR 3.979**
 - Fills in process questions not addressed in statute
- **New Court Forms**
 - JC 91 (Order Appointing Juvenile Guardian)
 - JC 93 (Letters of Juvenile Guardianship)
 - JC 94 (Annual Report of Juvenile Guardian)
 - JC 95 (Order Appointing Person to Investigate Juvenile Guardianship)
 - JC 96 (Report After Investigation of Juvenile Guardianship)
 - JC 97 (Order Following Investigation and Report on Juvenile Guardianship)
 - JC 98 (Petition to Terminate/Revoke Juvenile Guardianship, Notice of Hearing, and Order)
 - JC 99 (Order Following Hearing on Petition to Terminate/Revoke Juvenile Guardianship)

Benefits of Juvenile Guardianship



- **Allows child to exit foster care, but maintains family court jurisdiction.**
 - Permanency/stability.
 - More contact with siblings.
 - Pre-termination, maintains relationship with parents.
 - Some children do not want to be adopted and/or break ties with their birth parents.
- **Maintain family history and culture.** Some cultures believe that termination of parental rights defies important societal norms of extended family.
- **Gives caregivers the necessary legal decision-making authority for children,** including the ability to consent to routine activities such as field trips and sports.
- **Juvenile Guardianship will most frequently target older youth.**
 - First goal = reunification. Second goal = adoption. JG should only be considered after these goals are ruled out.

Case Processing FAQ's



- **Who opens the guardianship case? Court? JG? Other? Difference between TCW & MCI Ward?**
 - This is a permanency disposition in the NA case. The court opens the JG court case. No petition is required; No filing fee. No difference if TCW or MCI Ward.
- **When is the JG case opened? Post-PPH or after Order of Appointment is signed?**
 - When the court signs the order appointing the JG (JC 91).
- **What is the case code and caption?**
 - JG (Juvenile Guardian)
 - In the matter of (child's name). Separate order for each child.
- **Does the county clerk have to issue the Letter of Guardianship?**
 - MCR 3.979(B)(2): “court shall issue letters of authority”.

Case Processing



- **What is the first document in the JG case, since there's no petition?**
 - Order Appointing Juvenile Guardian (JC 91)
 - Order following PPH or Post TPR Review (JC 19 or JC 76)
 - Acceptance of Appointment (JC 92)
 - Letters of Juvenile Guardianship (JC 93)

- **If JG and child live in other county, should JG case be opened in that county?**
 - Follow regular change of venue rules (MCR 3.926)

Annual Case Review



- **How can the court track the one year reviews? TCS computer programming?**
 - JIS is adding this component to the computer system.
- **What is the appropriate action for non-reporting JGs? Does the court file a 3200?**
 - MCR 3.979(D)(1) : “court shall take appropriate action”. Court can order DHS to investigate, send a letter reminding JG to file report, etc.
- **MCR 5.203 requirements for fiduciary tracking required?**
 - No

Due Process/Legal Questions



- **What if the parent (whose rights have not been terminated) objects to the guardianship? Is this terminating parental rights without following TPR procedures?**
 - The court has ruled out reunification and termination of parental rights. Guardianship allows the parent to maintain a connection with the child.
 - JG should be discussed during TDM meetings.
 - DHS must discuss guardianship assistance agreement with parents.
 - Follow appellate process.

Indian Child Welfare Act



- **Does ICWA apply to Juvenile Guardianships?**
 - Yes. ICWA applies to any “child custody proceeding”, including, but not limited to:
 - ✦ “foster care placements”: any action removing an Indian child from its parent for temporary placement in a foster home or institution or in the home of a guardian or conservator where the parent cannot have the child returned upon demand.
 - ✦ “termination of parental rights”: any action resulting in the termination of the parent-child relationship.

25 USC 1903(1)(i) and (ii)

DHS Services



- **Does DHS keep the case open and provide services to the guardian?**
 - DHS closes the NA case after the first review. HOWEVER, if the case qualifies for guardianship assistance, there will be a guardianship assistance agreement which will outline the services the guardian will receive (services will be similar to post-adoption services).
- **Does DHS have to continue to provide services to the parent if parental rights have not been terminated?**
 - No. The NA case closes when permanency is attained.

Revoking/Terminating the Juvenile Guardianship



- **If the guardianship is revoked, does a NEW petition and case get filed?**
 - No. The court revokes the guardianship and places the child under care/supervision of DHS. Jurisdiction over child under previous NA case is reinstated. (MCR 3.979(F)(5))
 - Court must hold a dispositional review hearing within 42 days of revocation (MCR 3.979(F)(7))
- **Does the court administratively close the case when the minor emancipates or if the child dies?**
 - Upon notice of the child's death, the court shall enter an order of discharge. The court may schedule a hearing before entering this order. (MCR 3.979(D)(4))

How does the court order child support?



- **Ordering Child Support**

- MCR 3.973 (F)(5) allows the court to order child support in child protective proceedings.
- All child support orders must be on the Uniform Support Order (SCAO Form FOC 10).
- All child support orders must be calculated with the Michigan Child Support Formula.

Ordering Child Support (cont'd)



- **Process Options:**
 - **Court can calculate and order child support when appointing the JG. MUST USE UNIFORM SUPPORT ORDER.**
 - Checkbox 10 on form JC 91 (Order Appointing Juvenile Guardian) states “Child support shall be paid as follows:”
 - *Example:* “One or both parents shall pay child support as indicated in the Uniform Support Order that accompanies this order.”
 - **Court can order LGAL to request Title IV-D services.**
 - **Court can order FOC to investigate and make child support recommendation pursuant to MCL 552.505(1)(h).**

Subsidized Guardianship Case Example



- **Jan 1:** At 9 mo review hearing, start considering Guardianship. Order DHS to conduct background checks/home study; subsidy contract. Schedule PPH for April 1.
- **April 1 PPH:** court should ask: How long has the home been licensed? How long has the child been placed there? Subsidy contract filed with DHS? Change goal to Guardianship. Schedule next review hearing for July 1.
- **July 1:** if everything in order, appoint guardian (use JC 91 and JC 93). Schedule next review hearing.
- **Oct 1:** Final NA hearing. Close NA case, JG case remains open.

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER FOLLOWING DISPOSITIONAL REVIEW/ PERMANENCY PLANNING HEARING (CHILD PROTECTIVE PROCEEDINGS), PAGE 1 ORDER _____ OF _____	CASE NO. PETITION NO.
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Court address

Court telephone no.

DRAFT

1. In the matter of name(s), alias(es), DOB _____
2. Date of hearing: _____ Judge/Referee: _____ Bar no. _____
3. Removal date: _____ (Specify for each child if different.)

Last permanency planning hearing date: _____ (specify for each child if different)

4. As of the last order, the child(ren) named above was/were in the protective/temporary custody of the court, and
 remained in the home. was/were placed with the Department of Human Services for care and supervision.
5. Notice of hearing for the review permanency planning combined review and permanency planning hearing was served as required by law. Notice of proceedings is to be given as required by law.

THE COURT FINDS:

3. The lawyer-guardian ad litem has has not complied with the requirements of MCL 712A.17d.
7. a. There is probable cause to believe the legal/putative father(s) is/are:
 (Name each child, his/her father, and whether legal or putative.)
- b. The putative father of _____ is unknown and cannot be identified.
- c. The natural father was notified as required by law and failed to establish paternity within the time set by the court. The natural father waives all rights to further notice, including the right to notice of termination of parental rights and the right to an attorney.
8. The court has considered the case service plan and other evidence presented. The findings below are specific to this case and are based upon this hearing, and the following report(s): _____
identify report(s) and date(s) of report(s)

Specific conditions reviewed on the record as required by MCL 712A.19(6) were

- a. compliance with the case service plan with respect to services provided or offered to the child and his or her parent(s), guardian, or legal custodian and whether the parent(s), guardian, or legal custodian complied with and benefited from those services.
- b. compliance with the case service plan with respect to parenting time with the child and whether parenting time did not occur or was infrequent and the reasons why.
- c. the extent to which the parent(s), guardian, or legal custodian complied with each provision of the case service plan, prior court orders, and any agreement between the parent(s), guardian, or legal custodian and the agency.
- d. likely harm to the child if the child continued to be separated from his or her parent(s), guardian, or legal custodian.
- e. likely harm to the child if the child was returned to his or her parent(s), guardian, or legal custodian.
9. Returning the child(ren) to the parent(s), guardian, or legal custodian would would not cause a substantial risk of harm to the child(ren)'s life, physical health, or mental well-being.
10. The child(ren) should not be returned to the parent(s), guardian, or legal custodian.
- a. The agency should should not initiate proceedings to terminate the parental rights to the child(ren) because:
- b. The child has been in foster care for 15 months of the most recent 22 months, and the agency should initiate proceedings to terminate the parental rights to the child(ren) because: should not initiate proceedings to terminate the parental rights to the child(ren) for the following compelling reasons:

NOTE: If the child(ren) were not removed prior to the dispositional review or permanency planning hearing and new allegations are made which require removal, a supplemental petition must be prepared and filed and an emergency removal hearing held, whereupon contrary to the welfare and reasonable efforts findings must be made. Use form JC 75. See MCR 3.974(B) and (C).

(SEE SECOND PAGE)

USE NOTE: Do not use this form for review or permanency planning hearings after termination. Use form JC 76 instead.

Do not write below this line - For court use only

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER FOLLOWING DISPOSITIONAL REVIEW/ PERMANENCY PLANNING HEARING (CHILD PROTECTIVE PROCEEDINGS), PAGE 2 ORDER _____ OF _____	CASE NO. PETITION NO.
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Court address

Court telephone no.

In the matter of

11. a. Reasonable efforts were were not made to preserve and reunify the family to make it possible for the child(ren) to safely return to the child(ren)'s home. (Specify reasonable efforts below, and if applicable, the reasons for return.)
- 1) Reasonable efforts for reunification should be continued.
- 2) Those reasonable efforts were successful and the child(ren) should be released to

Name(s) of parent(s), guardian, or legal custodian

The reasonable efforts include: (specify)



- b. Reasonable efforts to preserve and reunify the family to make it possible for the child(ren) to safely return to the child(ren)'s home are not required based on a prior order.
12. Progress toward alleviating or mitigating the conditions that caused the child(ren) to be placed or to remain in temporary foster care was was not made in accordance with MCL 712A.19(7).

13. The child(ren)'s continued placement is necessary and appropriate and is meeting the child(ren)'s needs.
 is no longer necessary or appropriate.

14. *Reasonable efforts have have not been made to finalize the court-approved permanency plan of
- a. return to the parent for the child(ren) named _____
- b. legal guardianship for the child(ren) named _____
- c. adoption for the child(ren) named _____
- d. placement with a fit and willing relative for the child(ren) named _____
- e. placement in another planned permanent living arrangement, identified as _____

_____, due to the compelling reasons that
(Provide the name of each child and then specify the compelling reasons for another planned permanent living arrangement for that child, as appropriate, by entering the language that corresponds to the number[s] from the list on page 4.)

The reasonable efforts made to finalize the court-approved permanency plan identified above include:
(Specify the permanency plan for each child and the reasonable efforts made toward finalizing that plan.)

- Since adoption is the court-approved permanency plan, the Department of Human Services shall be ordered to initiate proceedings to terminate parental rights.
15. *The appointment of a juvenile guardian is in the best interest of the child(ren) named above in item 14b. The court has received and considered the information required by MCR 3.979(A)(1) and (3), and the proposed guardian should be appointed.*
16. Parenting time with _____, even if supervised, may be harmful to the child(ren).
17. *A juvenile guardian was appointed and jurisdiction over _____ pursuant to MCL 712A.2(b) should be terminated.*
18. *A juvenile guardianship for _____ was revoked pursuant to MCR 3.979(F), and this hearing is held pursuant to MCR 3.979(F)(7).*

NOTE: *MCL 712A.19a provides that these reasonable efforts findings must be made within 12 months from when the child was removed from his/her home and every 12 months thereafter.

(SEE THIRD PAGE)

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER FOLLOWING DISPOSITIONAL REVIEW/ PERMANENCY PLANNING HEARING (CHILD PROTECTIVE PROCEEDINGS), PAGE 3 ORDER _____ OF _____	CASE NO. PETITION NO.
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Court address

Court telephone no.

In the matter of

DRAFT

IT IS ORDERED:

1619. Notice is to be given to the legal/putative father(s) as required by law. The father was not present and must appear at the next hearing. The putative father was present at this hearing and shall establish paternity within 14 days.

1720. The child(ren) is/are continued in the protective/temporary custody of this court, and

- is/are placed with the Department of Human Services for care and supervision, and
 - a. the parent, guardian, or legal custodian shall execute all documents necessary to release confidential information regarding the child(ren), including medical, mental, and educational reports, and shall also, within 7 days, provide the Department of Human Services with the name(s) and address(es) of the medical provider(s) for the child(ren). Any medical provider of the child(ren) shall release the medical records of the child(ren) to the Department of Human Services.
 - b. if a home study has not yet been completed, then one shall be performed by the Department of Human Services and a copy of the home study submitted to the court not more than 30 days after the placement.
 - c. upon request, the Department of Human Services shall release to the foster parent the information concerning the child(ren) in accordance with MCL 712A.13a(13).
- remain home with or is/are released to _____ under the supervision of the Department of Human Services. The following terms and conditions apply to the parent(s)/guardian/legal custodian:

21. *the current placement with the Department of Human Services shall continue. The Department shall*

- a. *conduct a criminal record check and central registry clearance of the residents of the home of the proposed juvenile guardian and submit the results to the court within 7 days.*
- b. *perform a home study with a copy submitted to the court within 28 days, unless a home study has been performed within the immediately preceding 365 days of this order, in which case, a copy of that home study shall be submitted to the court.*

placed under guardianship pursuant to MCR 3.979(B). (See separate order, form JC 91.)

1822. The Department of Human Services shall initiate proceedings to terminate parental rights to the child(ren) no later than ~~42~~ _____ days from the date of this hearing _____.

1823. The parent(s), guardian, or legal custodian shall comply with, and benefit from, the case service plan. In addition,

2024. Parenting time of _____ is

- supervised by the Department of Human Services and/or its designee.
- unsupervised at the discretion of the Department of Human Services.
- suspended while psychological evaluation or counseling is conducted, or until further order of the court.

2125. Parenting time of _____ is

- supervised by the Department of Human Services and/or its designee.
- unsupervised at the discretion of the Department of Human Services.
- suspended while psychological evaluation or counseling is conducted, or until further order of the court.

2226. Parenting time of _____ is

- supervised by the Department of Human Services and/or its designee.
- unsupervised at the discretion of the Department of Human Services.
- suspended while psychological evaluation or counseling is conducted, or until further order of the court.

(SEE FOURTH PAGE)

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER FOLLOWING DISPOSITIONAL REVIEW/ PERMANENCY PLANNING HEARING (CHILD PROTECTIVE PROCEEDINGS), PAGE 4 ORDER _____ OF _____	CASE NO. PETITION NO.
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Court address

Court telephone no.

In the matter of



IT IS ORDERED: (continued)

2327. Jurisdiction of this court is terminated. The court reserves the right to enforce payments of reimbursement that have accrued up to and including the date of this order. The child(ren) is/are released to _____.

2428. Previous reimbursement orders shall continue.

2529. Other: (Attach separate sheet.)

2630. Prior orders remain in effect except as modified in this order.

2731. Review hearings shall be held as follows:
(NOTE: The review hearing shall not be delayed beyond the number of days required regardless whether a petition to terminate parental rights or another matter is pending. MCL 712A.19a provides that the permanency planning hearing shall not be delayed beyond 12 months from the date of removal of the child and every 12 months thereafter.)

dispositional review hearing _____ permanency planning hearing _____

The supervising agency shall provide documentation of progress relating to all aspects of the last court-ordered treatment plan, including copies of evaluations and therapy reports and verification of parenting time, not later than 5 business days before the scheduled hearing.

dispositional review hearing to terminate jurisdiction pursuant to MCR 3.979(C) _____

32. A hearing to appoint the juvenile guardian pursuant to MCR 3.979(B) shall be held _____ (no later than 35 days)

28. Notice of the next hearing has been provided as required by law. Notice of the next hearing shall be provided.

33.

Recommended by: _____
Referee signature

Date _____

Judge _____

The following are examples of compelling reasons for a permanency plan other than return to parent, legal guardianship, placement with a fit and willing relative, or adoption.

1. No relative has been identified who is appropriate or available to assume the permanent custody of the child.
2. The current caregiver is not an adoptive resource.
3. The child has a significant attachment to the parent(s), and it is in the child's best interests that it be preserved through parenting time and contact.
4. Reasonable efforts to recruit an adoptive home have been unsuccessful.
5. The child does not want to be adopted and is of an age where due consideration must be given to his/her wishes.
6. It is contrary to the child's best interests to break the child's attachment to the current caregivers.
7. The current caregiver is committed to providing a permanent placement for the child.
8. The placement allows the siblings to remain together.
9. The child's special needs can best be met in this placement.
10. The child wants to remain in the current placement, which is only available as foster care.
11. The placement is preparing the child for transition into independent living (specify the services being provided to the child to assist with transition such as referral to an independent living skills program, enrollment in a vocational program, referral for a mentor, continued out-of-home placement in foster care beyond age 18 to allow the child to complete secondary school, placement in a resource that provides on-site training for independent living, and other similar services).
12. The child comes under the Indian Child Welfare Act, and the child's tribe recommends permanent placement in long-term foster care.
13. Other (specify in the findings in item 14e).

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER AFTER POST-TERMINATION REVIEW/ PERMANENCY PLANNING HEARING (CHILD PROTECTIVE PROCEEDINGS), PAGE 1 ORDER _____ OF _____	CASE NO. PETITION NO.
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Court address

Court telephone no.

DRAFT

- In the matter of name(s), alias(es), DOB _____
- Date of hearing: _____ Judge/Referee: _____ Bar no. _____
- Last permanency planning hearing date: _____ (specify for each child if different)
- Parental rights to the above named child(ren) was/were previously terminated.
- Notice of hearing for the review permanency planning combined review and permanency planning hearing was served as required by law.
- The court has considered the permanency plan and other evidence presented. The findings below are specific to this case and are based upon this hearing, and the following report(s): _____
identify report(s) and date(s) of report(s)

THE COURT FINDS:

- A review permanency planning combined review and permanency planning hearing was conducted.
- The lawyer-guardian ad litem has has not complied with the requirements of MCL 712A.17d.
- Reasonable efforts have have not been made to finalize the court-approved permanency plan of
 - legal guardianship for the child(ren) named _____
 - adoption for the child(ren) named _____
 - placement with a fit and willing relative for the child(ren) named _____
 - placement in another planned permanent living arrangement, identified as _____

_____, due to the compelling reasons that (provide the name of each child and then specify the compelling reasons for another planned permanent living arrangement for each child, as appropriate, by entering the language that corresponds to the number[s] from the list on page 2)

The reasonable efforts made to finalize the court-approved permanency plan identified above include: (specify the permanency plan for each child and the reasonable efforts made toward finalizing that plan)

- 10. The appointment of a juvenile guardian is in the best interest of the child(ren) named above in item 9a. The court has received and considered the information required by MCR 3.979(A)(1) and (3) and the proposed guardian should be appointed.
- 10.11. Progress toward the child(ren)'s adoption or other permanent placement was was not made in a timely manner.
- 11.12. The child(ren)'s continued placement is necessary and appropriate and is meeting the child(ren)'s needs. is no longer necessary or appropriate.
- 12.13. The permanency planning goal is is not appropriate.
- 14. A juvenile guardian was appointed and jurisdiction over _____ pursuant to MCL 712A.2(b) should be terminated.
- 15. A juvenile guardianship for _____ was revoked pursuant to MCR 3.979(F) and this hearing is held pursuant to MCR 3.979(F)(7). The child(ren) is/are committed to the Department of Human Services for permanency planning, supervision, care, and placement under MCL 400.203.

(SEE SECOND PAGE)

Do not write below this line - For court use only

USE NOTE:

Use this form for post-termination review hearings, post-termination permanency planning hearings, or a combination of both in accordance with MCL 712A.19c.

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER AFTER POST-TERMINATION REVIEW/ PERMANENCY PLANNING HEARING (CHILD PROTECTIVE PROCEEDINGS), PAGE 2 ORDER ____ OF ____	CASE NO. PETITION NO.
---	---	--------------------------

Court address

Court telephone no.

In the matter of

DRAFT

IT IS ORDERED:

13. The child(ren)'s commitment to the Department of Human Services for permanency planning, supervision, care, and placement **16. under MCL 400.203 continues.**

The Department shall

- a. conduct a criminal record check and central registry clearance of the residents of the home of the proposed juvenile guardian and submit the results to the court within 7 days.
- b. perform a home study with a copy submitted to the court within 28 days, unless a home study has been performed within the immediately preceding 365 days of this order, in which case, a copy of that study shall be submitted to the court.
- c. seek the written consent for the appointment of the proposed juvenile guardian from the superintendent of the Michigan Children's Institute, to be filed with the court within 28 days.

The child(ren) shall be placed under juvenile guardianship pursuant to MCR 3.979(B). (See separate order, form JC 91.)

14. 17. The Department of Human Services shall make reasonable efforts to finalize the permanency plan for each child.

15. 18. The child(ren) has/have been adopted and the jurisdiction of this court is terminated.

16. 19. The jurisdiction of this court is terminated due to the child(ren)'s age(s).

20. The jurisdiction of this court is terminated pursuant to MCL 712A.19c(9) and MCR 3.979(C).

17. 21. Other:

18. 22. Review hearings shall be held as follows: (NOTE: The review hearing shall not be delayed beyond the number of days required regardless whether another matter is pending. MCL 712A.19a provides that the permanency planning hearing shall not be delayed beyond 12 months from the date of removal of the child and every 12 months thereafter.)

post-termination review hearing _____ permanency planning hearing _____

The supervising agency shall provide documentation of progress relating to all aspects of the last court-ordered treatment plan, including copies of evaluations and therapy reports and verification of parenting time not later than 5 business days before the scheduled hearing.

dispositional review hearing to terminate jurisdiction pursuant to MCR 3.979(C) _____

23. A hearing to appoint the juvenile guardian pursuant to MCR 3.979(B) shall be held _____ (no later than 35 days)

19. Notice of the next hearing has been provided as required by law. Notice of the next hearing shall be provided.

24.

Recommended by: _____
Referee signature

Date _____

Judge _____

The following are examples of compelling reasons for a permanency plan other than return to parent, legal guardianship, placement with a fit and willing relative, or adoption.

1. No relative has been identified who is appropriate or available to assume the permanent custody of the child.
2. The current caregiver is not an adoptive resource.
3. The child has a significant attachment to the parent(s), and it is in the child's best interests that it be preserved through parenting time and contact.
4. Reasonable efforts to recruit an adoptive home have been unsuccessful.
5. The child does not want to be adopted and is of an age where due consideration must be given to his/her wishes.
6. It is contrary to the child's best interests to break the child's attachment to the current caregivers.
7. The current caregiver is committed to providing a permanent placement for the child.
8. The placement allows the siblings to remain together.
9. The child's special needs can best be met in this placement.
10. The child wants to remain in the current placement, which is only available as foster care.
11. The placement is preparing the child for transition into independent living (specify the services being provided to the child to assist with transition such as referral to an independent living skills program, enrollment in a vocational program, referral for a mentor, continued out-of-home placement in foster care beyond age 18 to allow the child to complete secondary school, placement in a resource that provides on-site training for independent living, and other similar services).
12. The child is under the Indian Child Welfare Act, and the child's tribe recommends permanent placement in long-term foster care.
13. Other (specify in the findings in item 9d).

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER APPOINTING JUVENILE GUARDIAN	CASE NO.
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Court address _____ Court telephone no. _____



1. In the matter of
 name(s), alias(es), DOB

2. After hearing before: Upon review by: _____
 Judge Bar no.

THE COURT FINDS:

- 3. On _____, the court determined it to be in the best interest of the child to appoint a juvenile guardian over the child.
- 4. a. The parental rights over the child have not been terminated.
- b. The parental rights over the child were terminated on _____ and the written consent of the Michigan Children's Institute superintendent to the juvenile guardianship has been filed.
- 5. Placement of the child with a juvenile guardian continues to be necessary and appropriate.
- 6. The results of the required criminal record check and central registry have been submitted to the court. The homestudy of the juvenile guardian was submitted to the court pursuant to MCR 3.979(A)(1)(b).

7. There will be sufficient assets under the control of the juvenile guardian to require conservatorship.

IT IS ORDERED:

8. _____, whose address and telephone number are
 Name (type or print)

 Address City State Zip Telephone no.

is appointed juvenile guardian of the child named above, and an acceptance of appointment shall be filed. Upon acceptance of the appointment, the juvenile guardian shall comply with all relevant requirements of MCL 700.5215 and MCR 3.979(B)(4) and (E).

9. Parenting time shall be as follows:

10. Child support shall be paid as follows:

11. Other: (When item 7 is checked, include a provision requiring the juvenile guardian to petition the probate court for a conservator.)

 Date Judge Bar no.

 Attorney name (type or print) Bar no.

 Address City State Zip Telephone no.

NOTE: A separate order must be entered for each child.

Do not write below this line - For court use only

STATE OF MICHIGAN PROBATE COURT COUNTY CIRCUIT COURT - FAMILY DIVISION	ACCEPTANCE OF APPOINTMENT (JUVENILE GUARDIAN)	CASE NO.
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Court address

Court telephone no.



1. In the matter of
name(s), alias(es), DOB
2. I have been appointed juvenile guardian of the child named above.
3. I accept the appointment, submit to personal jurisdiction of the court, will delegate my authority, and agree to file reports and to perform required duties.

Date

Signature

Name (type or print)

Address

City, state, zip

Telephone no.

Date of birth

Do not write below this line - For court use only

STATE OF MICHIGAN PROBATE COURT COUNTY CIRCUIT COURT - FAMILY DIVISION	LETTERS OF JUVENILE GUARDIANSHIP	CASE NO.
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Court address

Court telephone no.

In the matter of
name(s), alias(es), DOB

DRAFT

TO:

1. You have been appointed as juvenile guardian of the child named above.
2. Having filed an acceptance of appointment, you have the care, custody, and control of the child, together with all authority and responsibilities granted and imposed by MCL 700.5215 and MCR 3.979.
3. Other: (Specify restrictions or limitations.) You shall not move th child's residence form the State of Michgian without a court order.

Date

Judge Bar no.

I certify that I have compared this copy with the original on file and that it is a correct copy of the whole of such original, and on this date, these letters are in full force and effect. Telephone no.

Date

Clerk/Deputy clerk

NOTICE OF REPORTING DUTIES

You are required to file with this court written reports as follows:

CHANGE OF ADDRESS: You are required to keep the court and interested persons informed in writing within 7 days of any change in your address.

ANNUAL REPORT: Your annual report on the condition of the child is due on _____ of each year. In addition, you must serve the report on the child and interested persons as specified in the Michigan Court Rules and file proof of service with the court.

DEATH OF MINOR: If a minor dies during the guardianship, you must file written notice with the court within 14 days of the minor's date of death.

The above provisions are reporting duties only and are not the only duties required of you. See MCL 700.5215 and MCR 3.979(B) for the authority and duties of a juvenile guardian.

Do not write below this line - For court use only

STATE OF MICHIGAN PROBATE COURT COUNTY CIRCUIT COURT - FAMILY DIVISION	ANNUAL REPORT OF JUVENILE GUARDIAN ON CONDITION OF CHILD	CASE NO.
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Court address _____ Court telephone no. _____

This report should be completed annually by the juvenile guardian, or more often if directed by the court.



1. In the matter of
name(s), alias(es), DOB

2. I, _____, am the juvenile guardian of the child named above and my
Name (type or print)
annual report for the period _____ to _____ is as follows:
Date Date

3. Living Arrangement

- a. Current address and telephone number of the child: _____
- b. The child has been in the present residence since _____ . If moved within the past year, state
Date the changes and the reasons for change:

4. Physical Health

The child's current physical condition is excellent. good. fair. poor.
During the past year the child received the following medical treatment, including check-ups and optical and dental work.
(Specify each date, ailment, type of treatment, and doctor's name.)

5. Mental Health

The child's current mental condition is excellent. good. fair. poor.
During the past year the child received the following mental health services.
(Specify any prescribed medications, treatment received, and doctor's name.)

(CONTINUED ON OTHER SIDE)

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6. Education

State whether the child regularly attends school, where the child attends school, and what grade the child attends. If the child attends alternative education, state where and the grade. If the child does not attend school, explain why.

7. Activities

Describe the child's involvement in social, religious, and sports activities.

8. Parenting Time

Describe any parenting time between the child and his/her parents. Provide the address for each parent. Describe anything about the parenting time you believe is important for the court to know.

9. Other

State any information about the child that you believe is important for the court to know, such as special awards or recognition the child has received, any special needs the child may have not otherwise stated above, any contact with law enforcement or child protective services, etc.

Date

Signature of guardian

Address

City, state, zip

Telephone no.

<p align="center">STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY</p>	<p align="center">ORDER APPOINTING PERSON TO INVESTIGATE JUVENILE GUARDIANSHIP</p>	<p>CASE NO.</p>
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Court address

Court telephone no.

1. In the matter of
name(s), alias(es), DOB



THE COURT FINDS:

2. a. A petition to terminate/revoke the juvenile guardianship has been filed.
- b. The court deems an investigation to be appropriate because _____

IT IS ORDERED:

3. _____ The Michigan Department of Human Services
Name (type or print) _____
Address _____ Address _____
City, state, zip _____ Telephone no. _____ City, state, zip _____ Telephone no. _____

is appointed to investigate the juvenile guardianship and to file a written report with the court.

- Pursuant to MCR 3.979(D)(2), the report shall include a recommendation regarding whether the juvenile guardianship should continue or be modified and whether a hearing should be scheduled. (Use form JC 96 to report to the court.)
- Pursuant to MCR 3.979(F)(3), the report shall include the reasons for terminating a juvenile guardianship or revoking a juvenile guardianship and a recommendation regarding temporary placement.
4. The investigation shall be completed and a report filed with the court within
 28 days pursuant to MCR 3.979(D)(2). 7 days pursuant to MCR 3.979(F)(3).

Date _____

Judge _____ Bar no. _____

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STATE OF MICHIGAN
PROBATE COURT
COUNTY
CIRCUIT COURT - FAMILY DIVISION

REPORT AFTER INVESTIGATION OF
JUVENILE GUARDIANSHIP

CASE NO.

Court address

Court telephone no.

DRAFT

1. In the matter of name(s), alias(es), DOB

2. I, _____, have investigated this juvenile guardianship as ordered by the court.
Name (type or print)

3. I visited the juvenile guardian on _____ at _____.
Date Location

I did not visit the juvenile guardian because _____

4. I visited the child on _____ at _____.
Date Location

I did not visit the child because _____

5. The juvenile guardian has adequately provided for the welfare of the child to the following extent:

6. The juvenile guardian is is not willing to continue to provide for the welfare of the child.

7. The juvenile guardian has does not have the ability to continue to provide for the welfare of the child.

8. This juvenile guardianship is is not necessary for the following reasons:

9. If the juvenile guardianship is continued, the effect on the welfare of the child will be as follows:

10. The following factors should be considered for the welfare of the child:

11. Child protective services has been involved in this juvenile guardianship as follows:

12. **I RECOMMEND** that

this juvenile guardianship be continued without modification.

this juvenile guardianship be continued with the following modifications: _____

a hearing be scheduled.

Date _____

Signature _____

USE NOTE: This report is not used for investigations ordered pursuant to MCR 3.979(F).

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STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	PETITION TO TERMINATE/REVOKE JUVENILE GUARDIANSHIP, NOTICE OF HEARING, AND ORDER	CASE NO.
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Court address

Court telephone no.

DRAFT

1. In the matter of
name(s), alias(es), DOB

2. I am the juvenile guardian. the lawyer-guardian ad litem. a DHS representative. an interested person.

3. The reasons why the court should take action are: _____

I request that the court:

4. Terminate the authority of the juvenile guardian. I request _____
Name (type or print)
_____ be appointed successor guardian.
Address City State Zip Telephone no.

5. Revoke the juvenile guardianship, reinstate jurisdiction over the minor(s) under the previous child protective proceeding, and place the minor(s) under the care and supervision of the Department of Human Services.

Signature	Date	Address
Name (type or print)		City, state, and zip Telephone no.

NOTICE OF HEARING

A hearing on the above petition shall be held on _____ at _____
Day, date, and time
_____ before Hon. _____
Location Bar no.

TO ALL INTERESTED PERSONS (listed in MCR 3.921[D]): You are entitled to participate in this hearing. Any information you want the court to consider at this hearing must be submitted in writing and in advance to the court, the agency, the lawyer-guardian ad litem for the child, and an attorney for one of the parties.

ORDER

IT IS ORDERED:

The Department of Human Services shall perform an investigation of the juvenile guardianship and file a written report of the investigation with the court no later than 7 days before the hearing on the above petition. The report shall include the reasons why the juvenile guardianship should be terminated or revoked and a recommendation regarding temporary placement, if necessary.

Date	Judge	Bar no.
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STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER FOLLOWING HEARING ON PETITION TO TERMINATE/REVOKE JUVENILE GUARDIANSHIP	CASE NO.
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Court address

Court telephone no.

DRAFT

1. In the matter of
name(s), alias(es), DOB

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

3. Notice of hearing was served as required by law.

4. Removal date: _____

THE COURT FINDS:

5. By a preponderance of the evidence, continuing the juvenile guardianship is is not in the best interest of the child.
 It is contrary to the welfare of the minor(s) to remain in the juvenile guardian's home because: (Complete if the child is being removed at this hearing.)

6. It is in the best interest of the child to terminate the appointment of the juvenile guardian.
 A proposed successor juvenile guardian has been named.
 There is no proposed successor guardian.

IT IS ORDERED:

8. The juvenile guardianship is continued.
 9. The juvenile guardianship is terminated and the current placement of the child shall continue pending appointment of

_____ as successor guardian.
Name (type or print) Address City State Zip Telephone no.

The Department of Human Services shall:

- a. conduct a criminal record check and central registry clearance of the residents of the home of the proposed successor juvenile guardian and submit the results to the court within 7 days.
- b. perform a home study with a copy submitted to the court within 28 days, unless a home study has been performed within the immediately preceding 365 days of this order, in which case, a copy of that home study shall be submitted to the court.

10. The juvenile guardianship is revoked and jurisdiction over the child pursuant to MCL 712A.2(b) is reinstated under the previous child protective proceeding.
a. The child is placed under the care and supervision of the Department of Human Services.
b. The department shall prepare an updated case service plan and file it with the court no later than 7 days before the next dispositional/post-termination review hearing.
c. A dispositional/post-termination review hearing shall be held _____ .
(within 42 days of revocation).

Date

Judge

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