



Olds Plaza Building, 10th Floor  
Lansing, Michigan 48909  
Phone: 517/373-6466

## **D. D. GUARDIANSHIP**

**House Bill 4023**

**Sponsor: Rep. Kirk Profit**

**Committee: Judiciary and Civil Rights**

**Complete to 8-11-95**

### **A SUMMARY OF HOUSE BILL 4023 AS INTRODUCED 1-11-95**

The bill would amend the Mental Health Code concerning how long a period of time individuals appointed as guardians for the developmentally disabled may serve.

Currently, the law sets no limits on the time period an individual may serve as a full or plenary guardian. However, a partial guardianship is limited to no more than five years. (A partial guardian is a guardian whose rights and powers are specifically set forth in a court order and are less than those of a plenary guardian.)

The bill would allow terms of guardianship to run for more than five years without regard to the guardian's status as partial or plenary. However, if the term of a guardianship was longer than five years, the court would be required to conduct an informal review of the guardianship within five years of the guardian's appointment and continue to hold such reviews at least every five years from the initial review for the duration of the guardianship.

As under the current law, a new petition for guardianship could be filed upon the expiration of the initial guardianship.

**MCL 330.1626**

**House Bill 4023 (8-11-95)**