



**House
Legislative
Analysis
Section**

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**REQUIRE GUARDIANS TO NOTIFY
OF WARD'S ADDRESS CHANGES**

**House Bill 4024 with committee
amendments
First Analysis (1-18-96)**

**Sponsor: Rep. Kirk Profit
Committee: Judiciary and Civil Rights**

THE APPARENT PROBLEM:

Under current law, guardians of legally incapacitated persons are required to report address changes of their wards to the court within 14 days; however, guardians of minors are only required to file an annual report. As a result, the courts are frequently unaware when a minor has moved. When the courts conduct reviews of these cases they are then forced to use judicial resources to investigate the whereabouts of the minor. Legislation has been introduced to require guardians of minors to inform the court of address changes.

THE CONTENT OF THE BILL:

Under current law, the guardian of a minor has certain powers and responsibilities, including among other things, the duty to take reasonable care of the minor's personal effects, and to facilitate the minor's education. The bill would amend the Revised Probate Code to, in addition, require a guardian to notify the court of a ward's new address within 14 days after the minor's place of residence had been changed.

The bill would take effect May 1, 1996.

MCL 700.431

FISCAL IMPLICATIONS:

According to the House Fiscal Agency, the bill would have no fiscal impact. (1-16-96)

ARGUMENTS:

For:

Since the court is ultimately responsible for a minor placed in the care of a guardian and the court is responsible for reviewing the child's situation at least on a yearly basis, it is important that the court know where the minor can be found. The bill would make certain that the court would be informed about the minor's place of residence by requiring guardians to provide the

court with the minor's address within 14 days after the minor has changed his or her residence. When a minor moves and the court is not informed about the move, the court is forced to hire an attorney to discover the minor's whereabouts. This is costly and time consuming; it would be easily remedied by requiring the guardian to inform the court when the minor has moved. Such notification is already required of guardians of legally incapacitated persons.

POSITIONS:

The Michigan Probate Judges Association supports the bill. (1-17-96)

The Michigan Protection and Advocacy Service supports the bill. (1-17-96)

House Bill 4024 (1-18-96)

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.