

STATE OF MICHIGAN PROBATE COURT KENT COUNTY	NOTICE REQUIREMENTS PETITION FOR APPOINTMENT OF GUARDIAN OF INCAPACITATED INDIVIDUAL	FILE NO.
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As petitioner, you must provide the Petition and Notice of Hearing to the persons listed below at least fourteen (14) days prior to the hearing if served by mail or seven (7) days prior to the hearing if served personally:

- The incapacitated individual
- The incapacitated individual's spouse, adult children and parents
- If the incapacitated individual has no spouse, parent, or adult child living, the presumptive heirs of the individual, considered in the following order, must be served:
 - **Grandchildren.** If the incapacitated individual had a child who passed away, and that child left his/her own children, then the individual's grandchildren;
 - **Siblings.** If the incapacitated individual has no descendants and both parents are deceased, then the individual's brothers and sisters;
 - **Nieces and Nephews.** If the incapacitated individual has no descendants and both parents are deceased, and the individual had a brother or sister who passed away, and that brother or sister left children of his/her own, then the individual's nieces and nephews;
 - **Grandparents.** If the incapacitated individual has no descendants, both parents are deceased, and there are no brothers or sisters or descendants of brothers and sisters, then the individual's grandparents;
 - **Descendants of Grandparents.** If the incapacitated individual's grandparents are deceased, any uncles or aunts, or children of deceased uncles or aunts, would be the individual's presumptive heirs;
 - **Attorney General.** If there are no presumptive heirs, then the State of Michigan is the presumptive heir of the person, and the Michigan Attorney General must be served at the following address:

Attorney General—State of Michigan
State Public Administrator
P.O. Box 30755, Lansing, MI 48909
- The nominated guardian
- The person who has care and custody of the incapacitated individual
- If known, the named agent under a durable power of attorney
- If known, a guardian or conservator appointed by a court in another state to have control of the incapacitated individual

A signed Proof of Service ([PC564](#)) indicating the name of the documents served, method of service (mail or personal), and date of service is required to be filed with the Court at least 5 days prior to your hearing. **Failure to file the Proof of Service may result in adjournment of your hearing.**

