

POLICY REGARDING EXPENDITURE OF FUNDS IN CONSERVATORSHIPS FOR MINORS

The general principle, which this Court will follow, is that it is this Court's responsibility to preserve a minor's money until the minor attains age 18. The Court will not authorize the spending of that money on basic items or services, which the minor should otherwise obtain from his/her parents or legal guardian. This policy will apply to petitions seeking authority to use monies in restricted bank accounts and petitions requesting approval of expenditures in the annual accountings of such conservators.

In the case of petitions seeking authority to use monies in restricted accounts, the Court will grant authority to withdraw restricted funds only in conformance with this written policy. In the case of unrestricted funds, it will be the conservator's responsibility to only spend money in accordance with this policy. These specific principles will apply:

1. No expenditure will be allowed unless it directly benefits the minor.
2. No expenditure will be allowed that benefits the minor if the expenditure relieves a parental obligation that should otherwise be met by the parent/guardian. Exceptions to this rule may include such things as unusual medical expenses, unique educational costs or other unusual expenditures for the minor that may create an exceptional burden for the parent/guardian and are related to an injury suffered by the minor resulting in conservatorship funds. Before such an expenditure is allowed, documentation must be presented that the parent cannot otherwise provide the benefit. Receipts documenting the expenditure allowed will be presented to the Court within 14 days of an Order allowing withdrawal of money from a restricted account.
3. Expenditures regarding maintenance of the principal in the minor's account will be allowed by ex parte order. An example of such an allowable expense would be payment of taxes due on the interest income earned from the account.
4. Under no circumstances will money be released to the Department of Human Services or at its request to relieve a parental obligation as such an obligation is the parent's and not the child's.

The Honorable David M. Murkowski

STATE OF MICHIGAN PROBATE COURT COUNTY	PETITION TO USE FUNDS (CONSERVATORSHIP)	CASE NO. and JUDGE
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Court address _____ Court telephone no. _____

In the matter of _____
First, middle, and last name

Petitioner's name, address, and telephone no.

Petitioner's attorney, bar no., address, and telephone no.

1. I, _____, am conservator of the estate.
Name
2. The interested persons, addresses, and their representatives are identical to those appearing on the initial application/ petition, except as follows: (For each person whose address changed, list the name and new address; attach separate sheet if necessary.)

3. As of _____ the ward's total assets are \$ _____.
Date

4. **I REQUEST** permission to withdraw \$ _____ of the ward's money from _____ at _____
Name of financial institution . The funds will be used as follows for the benefit of the ward:

Put account no. in
Ref. No. row 6 on MC 97.
Account no.

I understand this money can only be used for the direct benefit of the minor, and I will retain all receipts and furnish copies of receipts or other proof as the Court directs. I understand that if this petition is granted, this withdrawal will be reported on the annual Account filed with the Court.

5. I understand that no future requests to withdraw funds will be accepted by the Court until required copies of receipts are filed with the Court.

I declare under the penalties of perjury that this petition has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date

Petitioner signature

Date

Attorney signature

STATE OF MICHIGAN PROBATE COURT COUNTY	ORDER TO USE FUNDS (CONSERVATORSHIP)	CASE NO. and JUDGE
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Court address _____ Court telephone no. _____

In the matter of _____
First, middle, and last name

Petitioner's name, address, and telephone no.

Petitioner's attorney, bar no., address, and telephone no.

A petition for use of funds was filed on _____ .
Date

IT IS ORDERED:

- 1. The petition is denied.
- 2. The petition is granted. The conservator is authorized to withdraw \$ _____ from the account stated in the petition. If access to these funds was restricted, access to the remainder of the funds is still restricted. Receipts or proof that the money was spent for the requested purpose shall be filed with this court within 30 days of this order.
- 3. Other:



Judge signature and date

I certify that I have compared this copy with the original on file in this court and that it is a correct copy of the original.

Date

Deputy register

Instructions to Financial Institution: Do not accept any document other than a certified copy of this order with the court seal. Please retain this certified copy.