

Factors to consider when applying for guardianship termination. CHECKLIST

1. Before Petitioning

- Consider what supports will be needed once the guardianship is terminated.
- Explore the Supported Decision-Making (SDM) Toolkit as an alternative to guardianship.
- Use the 'Exploring Decision-Making Supports' tool to assess areas of decision-making and potential supports.

2. Filing the Petition

- Obtain and complete the official Petition to Terminate Guardianship (PC 677 form).
- File the petition with the county probate court where the guardianship was originally established.
- Remember: A partial guardianship with a 5-year expiration still requires a petition to formally terminate.

3. Information to Provide the Court

- Gather evidence of progress toward independence (skills, supports in place, reduced needs).
- Provide information about the system of supports that will replace guardianship.
- If required, arrange for psychological testing to confirm ability to consent.
- Ensure the guardian's annual report is up to date and reflects increased independence, if applicable.
- Consider showing use of alternative tools (e.g., Rep Payee, shared bank accounts, power of attorney).

4. Court Proceedings

- Be prepared for the judge to review all supporting evidence.
- Confirm that the person has the ability to consent.
- Demonstrate that safeguards and supports will be in place after termination.

5. Sample Petition Language (Optional)

- Consider including supporting language referencing growth and progress of the individual.
- Reference the desire to use less restrictive alternatives (e.g., power of attorney).
- Cite Michigan Mental Health Code § 330.1644 regarding restoration of rights.

6. After Termination

- Ensure rights are fully restored to the individual.
- Put alternative supports in place (financial, medical, legal, etc.).
- Maintain ongoing monitoring through the individual's support network.