



STATE OF MICHIGAN

PROBATE/FAMILY COURT
CASS COUNTY, MICHIGAN

SUSAN L. DOBRICH
CHIEF JUDGE
PROBATE/FAMILY COURT JUDGE

LAW & COURTS BUILDING
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June 23, 2021

Honorable Graham Filler
Michigan House of Representatives
P.O. Box 30014
Lansing, Michigan 48909

Re: House Judiciary Committee

Dear Representative Filler:

As a sitting Probate Judge in Cass County who counts on the services of a dwindling pool of professional guardians and conservators, I wanted to communicate my personal opposition to **House Bills 4847, 4848, 4849, and 4850**. I have been a Probate Judge since 1995.

I'm concerned that these attempts at reform, will drive more people out of the profession and put the individuals protected by these guardians and conservators at much greater risk. Therefore, I cannot support these bills and urge you to hold them in your committee.

Before we throw up additional barriers for these dedicated public servants to deal with, the Michigan Legislature should be looking at a funding mechanism to pay them for the services they provide. Professional guardians are no less of a valuable part of Michigan's judicial system and the state's human services safety net, than court appointed lawyers. However, instead of funding them in a similar fashion for indigent criminal lawyers, Michigan has ignored their financial plight for decades. Now this legislative package will make their jobs even harder, without providing one cent of state funding to support their work. As many as 4-5,000 indigent people in Michigan have the benefit of a court-appointed guardian where the guardian must work for free.

We are a mobile society and often there may not be a family member nearby who is capable, or willing to serve as a fiduciary for their loved one. Further, there are times when the family member is the one who is taking advantage of the vulnerable individual. In those situations, the only suitable option may be a professional guardian and conservator.

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In addition, if a family member is appointed in a fiduciary role for their loved ones, they are sometimes overwhelmed by the responsibilities that come with that role. The area of law is complex, and even attorneys struggle with properly understanding Medicaid. What would be very beneficial is educational training opportunities for all concerned in the Probate Courts, including Judges.

Representative Filler, you are a fellow attorney, so I know you know each county court might be different. We need professional guardians as a safety net. Yes, family is best if possible but many times, it is not possible. Do not let the small number of cases mishandled as a basis to reform the cases that are handled properly. That is not a sustainable business model, yet the State of Michigan demands this from our guardians.

These bills are not a reasonable solution to address any perceived problems within the system and should be shelved.

I fear that there may be other unintended consequences if these bills move forward that would result in not assisting the mentally ill. We already have a mental health crisis. The Mental Health Code allows the use of guardians to assist keeping individuals on medications and/or local community treatment and treatment by AOT.

Thank you for your attention.

Sincerely

A handwritten signature in black ink, appearing to read 'Susan L. Dobrich', written over a circular stamp or seal.

Susan L. Dobrich
Chief Judge, Family/Probate Court

SLD/kjj