

<b>STATE OF MICHIGAN</b> <b>PROBATE COURT</b> <b>COUNTY</b>	<b>ORDER REGARDING APPOINTMENT OF</b> <input type="checkbox"/> <b>GUARDIAN</b> <input type="checkbox"/> <b>LIMITED GUARDIAN</b> <b>OF A MINOR INDIAN CHILD</b>	<b>CASE NO. and JUDGE</b>
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Court address

Court telephone no.

In the matter of \_\_\_\_\_, \_\_\_\_\_  
 First, middle, and last name of minor Indian child      Name of tribe and identification no. (if one)

**THE COURT FINDS:**

1. Notice of hearing was given to or waived by all interested persons, venue is proper, and a qualified person seeks appointment.
- ☐ 2. The minor named above is not in need of a guardian.
- ☐ 3. The tribe has exclusive jurisdiction.
- ☐ 4. The minor named above is unmarried and is in need of a guardian because
  - ☐ a. parental rights of both parents or of the surviving parent have been
    - ☐ terminated      ☐ suspended      by
    - ☐ prior court order.      ☐ judgment of divorce or separate maintenance.
    - ☐ death.      ☐ judicial determination of mental incompetency.
    - ☐ disappearance.      ☐ confinement in a place of detention.
  - or ☐ b. the parent(s) permit the minor to reside with another person and do not provide the other person with the legal authority for the care and maintenance of the minor who was not residing with a parent when the petition was filed.
  - or ☐ c. the biological parents of the minor were never married to each other, the custodial parent has
    - ☐ died,      ☐ disappeared,      and the other parent has not been granted legal custody by court order. The proposed guardian is related to the minor within the fifth degree by marriage, blood, or adoption.
- ☐ 5. The minor named above is unmarried, and it is in the Indian child's best interests to order the guardianship.
  - ☐ a. The parent(s)/Indian custodian consented to the appointment of a limited guardian and voluntarily consented to suspension of parental rights. A limited guardianship placement plan has been filed and approved.
  - ☐ b. The parent(s)/Indian custodian consented to the appointment of a guardian under MCL 712B.13.
  - ☐ c. The parent(s)/Indian custodian has/have not consented to the appointment of a guardian under MCL 712B.13. Upon clear and convincing evidence, including testimony of at least one expert witness who has knowledge of child-rearing practices of the Indian child's tribe, active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family, those active efforts were unsuccessful, and the continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child. The active efforts took into account the prevailing social and cultural conditions and way of life of the Indian child's tribe. The placement requirements of MCR 5.404(C)(2) and (3) have been met.

- ☐ 6. The welfare of the minor will be served by the appointment,  
☐ and by ☐ payment of reasonable support. ☐ reasonable parenting time and contact by the parent(s).
- ☐ 7. There is no qualified, suitable individual willing to act as guardian, and the appointment of a nonprofit corporation as guardian is in the best interest of the minor. A personal bond must be filed.

**IT IS ORDERED:**

- ☐ 8. The petition is ☐ granted. ☐ denied on the merits. ☐ dismissed/withdrawn.
- ☐ 9. \_\_\_\_\_, whose address and telephone number are  
Name (type or print)

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Telephone no. \_\_\_\_\_

is appointed ☐ full ☐ limited ☐ temporary guardian of the minor named above, and an

acceptance of appointment shall be filed. ☐ Personal bond at \$ \_\_\_\_\_ must be filed.

The guardian is not permitted to act until letters of guardianship are issued. After qualification, the guardian shall comply with all relevant requirements under the law.

- ☐ 10. This appointment is ☐ regular. ☐ temporary, expiring on \_\_\_\_\_ .  
Date

- ☐ 11. Parenting time shall be ☐ as stated in the placement plan.

☐ \_\_\_\_\_

- ☐ 12. Child support shall be paid: ☐ as stated in the placement plan.

☐ \_\_\_\_\_

- ☐ 13. Other:

- ☐ 14. The ☐ attorney ☐ guardian ad litem ☐ lawyer-guardian ad litem for the minor is discharged.

\_\_\_\_\_

\_\_\_\_\_  
Judge signature and date

Attorney name (type or print) \_\_\_\_\_ Bar no. \_\_\_\_\_

Address \_\_\_\_\_

City, state zip \_\_\_\_\_ Telephone no. \_\_\_\_\_