

PROBATE & ESTATE PLANNING SECTION  
Respectfully submits the following position on:

\*

SB 0270

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The Probate & Estate Planning Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Probate & Estate Planning Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Probate & Estate Planning Section is 3,701.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 23. The number who voted in favor to this position was 17. The number who voted opposed to this position was 0.

## Report on Public Policy Position

**Name of section:**

Probate & Estate Planning Section

**Contact person:**

Marlaine C. Teahan

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**Bill Number:**

[SB 0270](#) (Jones) Probate; guardians and conservators; probate court jurisdiction over guardianship and conservatorship proceedings; clarify. Amends [1998 PA 386](#) (MCL [700.1101](#) - [700.8206](#)) by adding secs. 5301b & 5402a.

**Date position was adopted:**

June 13, 2015

**Process used to take the ideological position:**

Position adopted after discussion and vote at a scheduled meeting.

**Number of members in the decision-making body:**

23

**Number who voted in favor and opposed to the position:**

17 Voted for position

0 Voted against position

0 Abstained from vote

6 Did not vote (absent)

**Position:**

Support in Concept

**Explanation of the position, including any recommended amendments:**

Our Section takes a position to support SB 270 in concept but recommends that the Bill's proposed language be moved from Article 5 to Article 1 in the Estates and Protected Individuals Code. Further, it is our position that the intent of SB 270 is to expand the Probate Court's jurisdiction instead of restrict the Court's jurisdiction. The approved motion includes a grant of authority to the co-chairs of the Guardianship, Conservatorship and End of Life Committee, Rhonda M. Clark-Kreuer and Katie Lynwood, to work with our lobbyist and the Bill's sponsors to modify, or approve modifications to, the final proposed Bill in accordance with the position taken by Council, outlined above.

**The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.**

<http://legislature.mi.gov/doc.aspx?2015-SB-0270>