

Judges of the Wayne County Probate Court

Topics and Issues Concerning Written Guardian ad Litem (GAL) Reports

All Wayne County Probate Court Judges require the following for their written GAL Reports:

1. The GAL is expected to evaluate the nominated fiduciary.
2. **The GAL may fax their report.**
3. **The GAL's written report is due three (3) business days prior to the hearing. Failure to timely file the report without good cause may result in suspension of the attorney from the assignment eligibility list.**
4. A written report is required.[\[1\]](#)
5. The GAL's personal observations of the respondent should be summarized.
6. The GAL is expected to recommend restrictions on the guardian's powers, if appropriate.
7. Recitation of the GAL's duties and the rights of the respondent is preferred in the written report.
8. If the respondent objects to the appointment of a guardian, the GAL must file an objection with the Judge of record.[\[2\]](#) The GAL should also be prepared to address the need for a temporary guardian pending trial.
9. The GAL is expected to address the nature and extent of the respondent's assets in their written report.
10. The GAL is expected to determine whether the respondent has a power of attorney and/or a medical durable power of attorney and explore alternatives to guardianship.
11. The GAL is expected to make specific recommendations for bond.

12. The GAL may bill the estate, if there are sufficient assets. Check with the Judge of record to determine the threshold amount.
13. The GAL must give a copy of their report to the petitioner before the hearing starts.

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[1] If the hearing is for a temporary appointment, a written report may be required; check with the Judge of record.

[2] File WCPC 260, Objection to Appointment of Guardian or Conservator, where the alleged incapacitated individual has lodged objections.