

SENATE BILL No. 1386

September 27, 2000, Introduced by Senators GOSCHKA, HAMMERSTROM, STEIL, BULLARD, HART and SHUGARS and referred to the Committee on Families, Mental Health and Human Services.

A bill to amend 1998 PA 386, entitled
"Estates and protected individuals code,"
(MCL 700.1101 to 700.8102) by adding section 5108.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 5108. THE PERSON THAT COMMENCES AN ACTION OR PROCEDURE
2 UNDER THIS ARTICLE, OR THAT MAKES A MOTION FOR, OR IN ANOTHER
3 MANNER REQUESTS, THE APPOINTMENT OF A GUARDIAN AD LITEM UNDER
4 THIS ARTICLE, SHALL NOT CHOOSE OR INDICATE IN ANY MANNER THE
5 PERSON'S PREFERENCE AS TO A PARTICULAR PERSON FOR APPOINTMENT AS
6 GUARDIAN AD LITEM. THE COURT SHALL NOT FOLLOW A CHOICE OR RECOM-
7 MENDATION FOR A PARTICULAR PERSON FOR APPOINTMENT AS GUARDIAN
8 AD LITEM THAT VIOLATES THIS SECTION UNLESS THE COURT STATES ON
9 THE RECORD THE REASON, INDEPENDENT OF THE VIOLATIVE CHOICE OR
10 RECOMMENDATION, THAT THE APPOINTMENT IS IN THE WARD'S OR
11 PROTECTED INDIVIDUAL'S BEST INTEREST.