UNIFORM POWER OF ATTORNEY ACT (EXCERPT)
Act 187 of 2023

556.216 Judicial relief; dismissal of petition.

Sec. 116. (1) Without precluding other bases on which such matters may properly be brought before the court, any of the following persons may petition a court to construe a power of attorney or review the agent's conduct and grant appropriate relief:

(a) The principal or the agent.

(b) A guardian, conservator, or other fiduciary acting for the principal.

(c) A person that, at the time of the petition, is exercising authority to make health care decisions for the principal.

(d) An individual who, at the time of the petition, would be an heir of the principal if the principal were to die intestate at that time.

(e) A person named as a beneficiary to receive any property, benefit, or contractual right on the principal's death or as a beneficiary of a trust created by or for the principal the trustee of which has a financial interest in the principal's estate.

(f) The personal representative of the principal's estate.

(g) Adult protective services.

(h) A caregiver or another person that demonstrates sufficient interest in the principal's welfare.

(i) A person asked to accept the power of attorney.

(2) Upon motion by the principal, the court shall dismiss a petition filed under subsection (1) unless the court finds 1 of the following:

(a) That the principal lacks capacity to revoke the agent's authority or the power of attorney.

(b) That the motion is the effect of undue influence, fraud, or duress.

(3) Without precluding other bases on which such matters may properly be brought before the court, any of the following persons may petition a court to review conduct regulated by this act on the part of a person to whom a power of attorney is presented for acceptance and to grant appropriate relief:

(a) The principal or the agent.

(b) A guardian, conservator, or other court-appointed fiduciary acting for the principal.

History: 2023, Act 187, Eff. July 1, 2024.