

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.3320 Guardian; authority to agree to division; report; infants; infant as married woman; delivery of guardianship property to probate court guardian; discharge of circuit court guardian.

Sec. 3320. (1) The circuit court may direct and authorize general guardians or guardians ad litem to agree to a division or a sale of the entire premises or of as much of the premises as, in the opinion of the court, is incapable of partition, or of as much of the premises as the best interest of the ward requires to be sold.

(2) The guardian shall report on oath to the court the partition or sale he made under the court's direction and if the court approves and confirms the sale the court shall enter an order authorizing the guardian to execute conveyances of the rights of the ward to the purchaser of that portion of the estate, or to execute a release of the rights of the ward to the portion of the estate which in the division falls to the shares of the other joint tenants or tenants in common. Those deeds shall be valid and effectual to convey the share and interest of the ward.

(3) If any part of his estate is sold an infant shall be deemed a ward of the court and the court shall direct an order for securing, investing, and applying the proceeds of the sale, and for requiring security from the guardian for that purpose.

(4) If the infant is a married woman the court may, upon petition, appoint her husband as her guardian and he shall be subject to the provisions of this section.

(5) When a guardian has been appointed by the probate court, the circuit court guardian shall deliver all guardianship property and funds to the probate court guardian and upon receipt therefor, the guardian appointed by the circuit court shall be discharged.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1964, Act 113, Eff. Aug. 28, 1964.