CHAPTER 15

GUARDIANSHIP

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15.1. INTRODUCTION

Guardianships, power of attorney and emancipation provide legal options for workers trying to achieve safe and permanent plans for children. Guardianship, however, should not be seen as a cure-all, nor can it be equated with termination of parental rights and adoption in terms of the legal security it offers. In some circumstances, some form of legal guardianship may offer a suitable plan for a child.[1] The legal requirements for guardianship, power of attorney and emancipation are outlined below. This is not an exhaustive discussion of the law but is meant to provide an overview, a primer, on these legal statuses, particularly for nonlawyer caseworkers. Should one decide to pursue guardianship or emancipation, legal advice is recommended.

15.2. POWER OF ATTORNEY

Parents or legal guardians can delegate their parental responsibilities to another for a limited time period, without court action, by means of a power of attorney.

> By a properly executed power of attorney, a parent or guardian of a minor or a guardian of a legally incapacitated individual may delegate to another person, for a period not exceeding 6 months, any of the parent's or guardian's powers regarding care, custody, or property of the minor child or ward, except the power to consent to marriage or adoption of a minor ward or to release of a minor ward for adoption. ... If a guardian for a minor or legally incapacitated individual delegate any power under this section, the guardian shall notify the court within 7 days after execution of the power of attorney, and provide the court the name, address, and telephone number of the attorney-in-fact.[2]

A properly executed power of attorney form (*See* Fig. 15.1) need not be filed with a court (unless there is an existing guardianship order). The power of attorney expires automatically after six months, though it may be repeatedly renewed by execution of another document.

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1. MCR 3.976(A)(3)
2. MCL 700.5103

Fig. 15.1.: Power of Attorney

POWER OF ATTORNEY

I, , mother (father) of minor child(ren) _____ appoint _____ of ,true and lawful attorney for me, and give to "him/her/them" any and all of my legal authority and power regarding the care, custody, or property of this (these) minor child(ren), except the power to consent to marriage or adoption or to release the child(ren) for adoption, for a period not to exceed six (6) months from this date as provided for in MCL 700.5103.

I grant to this attorney full power and authority to perform every act necessary for the proper care of the minor child(ren), their property and affairs, including medical care, except as specifically limited above, as fully as I could do myself if personally present.

DATED: _____X

_____

In The Presence Of:
[Witnesses]

W/_____ W/_____

15.3. GUARDIANSHIPS

15.3.1. *Three types available under Michigan law*

Protection of a child through the use of guardianship may be particularly appropriate where the parent or parents will be temporarily absent from the child's life and thereby unable to provide care, for reasons such as incarceration, extended in-patient mental health or substance abuse treatment, or hospitalization. Guardianship may also be a valuable alternative to termination of parental rights where there are important family ties, both psychological and legal, that one wishes to preserve and yet the biological parent is unable to properly care for the child in the foreseeable future.

Three types of guardianships are available under Michigan law: general guardianship, limited guardianship, and temporary guardianship. If a petition to terminate an existing guardianship is filed, the court may also order a permanent guardianship. The parent of an unmarried minor may appoint a guardian for the minor by will or by another writing signed by the parent and attested by at least two witnesses.[3] "A professional guardian may be appointed."[4]

15.4. GENERAL GUARDIANSHIP (MCL 700.5204)

15.4.1. *Petitioner*

"General," "permanent," "regular," "ordinary," or "full" guardianship, as it is variously known, does not require parental consent. The statute requires[5]:

> (1) A person interested in the welfare of a minor, or a minor if 14 years of age or older, may petition for the appointment of a guardian of the minor. The court may order the Department of Human Services or a court employee or agent of the court to conduct an investigation of the proposed guardianship and file a written report of the investigation.

Note that nearly anyone, i.e. a "person interested in the welfare of a minor," may petition for the appointment of a guardian. Parents, relatives, friends and Department of Human Services (DHS) caseworkers are among those who may wish to initiate such proceedings.

15.4.2. *Grounds*

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3. *See* testamentary appointment of guardian, MCL 700.5202
4. MCL 700.5212
5. MCL 700.5204(1)

The court may appoint a guardian for an unmarried minor if any of the following circumstances exist[6]:

(a) The parental rights of both parents or of the surviving parent have been terminated or suspended by prior court order, by judgment of divorce or separate maintenance, by death, by judicial determination of mental incompetency, disappearance, or by confinement in a place of detention.[7]

(b) The parent or parents do permit the minor to reside with another person and do not provide the other person with legal authority for the minor's care and maintenance, and the minor is not residing with his or her parent or parents when the petition is filed.

(c) All of the following:

  (i) The minor's biological parents have never been married to one another.

  (ii) The minor's parent who has custody of the minor dies or is missing and the other parent has not been granted legal custody under court order.

  (iii) The person whom the petition asks to be appointed guardian is related to the minor within the fifth degree by marriage, blood, or adoption.

15.4.3. *Child Support and Parenting Time*

(5) For the minor ward's welfare, the court may at any time, order the minor ward's parents to pay reasonable support and order reasonable parenting time and contact of the minor ward with his or her parents.[8]

15.5. LIMITED GUARDIANSHIP (MCL 700.5205)

15.5.1. *Voluntary; Requires Parental Consent; Grounds*

Limited guardianship requires voluntary consent of the parent or parents with legal custody of the child.[9] It is really a court-sanctioned consent arrangement.

(1) The court may appoint a limited guardian for an unmarried minor upon the petition of the minor's parent or parents if all of the following requirements are met[10]:

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6. MCL 700.5204(2)

7. "Prior court order" does not include an order appointing a limited guardian; MCL 700.5204(2)(a)

8. MCL 700.5204(5)

9. MCL 700.5205(1)

10. MCL 700.5205(1)

(a) The parents with custody of the minor consent or, in the case of only 1 parent having custody of the minor, the sole parent consents to the appointment of a limited guardian.
(b) The parent or parents voluntarily consent to the suspension of their parental rights.
(c) The court approves a limited guardianship placement plan agreed to by both of the following parties:
(i) The parents with custody of the minor or, in the case of only 1 parent having custody of the minor, the sole parent who has custody of the minor.
(ii) The person or persons whom the court will appoint as the minor's limited guardian.

15.5.2. *Placement Plan Required*

In addition to finding parental consent, the court must approve a limited guardianship placement plan agreed to by the parties.

(2) A minor's parent or parents who desire to have the court appoint a limited guardian for that minor and the person or persons who desire to be appointed limited guardian for that minor must develop a limited guardianship placement plan. The parties must use a limited guardianship placement plan form prescribed by the state court administrator. A limited guardianship placement plan form must include a notice that informs a parent who is a party to the plan that substantial failure to comply with the plan without good cause may result in the termination of the parent's parental rights under chapter XIIA of 1939 PA 288, MCL 712A.1 to 712A.32. The proposed limited guardianship placement plan shall be attached to the petition requesting the court to appoint a limited guardian. The limited guardianship placement plan shall include provisions concerning all of the following[11]:
(a) The reason the parent or parents are requesting the court to appoint a limited guardian for the minor.
(b) Parenting time and contact with the minor by his or her parent or parents sufficient to maintain a parent and child relationship.
(c) The duration of the limited guardianship.
(d) Financial support for the minor.
(e) Any other provisions that the parties agree to include in the plan.

11. MCL 700.5025(2)

The court shall review the placement plan and approve, disapprove or modify the plan if the parties agree to the modified plan.[12] A limited guardianship placement plan that has been approved by the court may be modified upon agreement of the parties and approval of the court. A modified limited guardianship plan shall be filed with the court.[13]

15.6. TEMPORARY GUARDIANSHIP (MCL 700.5213)

If necessary to protect the child, the probate court may appoint a temporary guardian for six months. Such an appointment may be necessary where immediate decisions affecting the child's health or welfare is required (e.g. regarding necessary medical treatment) or where the child's placement must be secured pending a full hearing on a guardianship petition. The temporary guardian has all the powers and duties of a limited guardian, except that the appointment expires after six months.[14] A temporary guardian may be appointed only in the course of a proceeding for permanent guardianship.[15] The court rules require that the court hold a hearing and take testimony before appointing a temporary guardian, but the court may shorten the period for notice of hearing or dispense with notice altogether.[16] A petitioner should inform the court clerk if a temporary guardian is necessary, and be prepared to proceed immediately to an emergency hearing.

15.7. POWERS AND DUTIES

15.7.1. *Powers and Duties of the General Guardian*

The powers and duties of a guardian of a minor are set forth in the statute:

> A minor's guardian has the powers and responsibilities of a parent who is not deprived of custody of the parent's minor and unemancipated child, *except that a guardian is not legally obligated to provide for the ward from the guardian's own money* and is not liable to third persons by reason of the parental relationship for the ward's acts. [The statute then specifies some of the powers and duties of the guardian.][17]

15.7.2. *Powers and Duties of Limited Guardian*

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12. MCL 700.5206(1)

13. MCL 700.5206(1)(c). *See also* MCL 700.5206(2)

14. MCL 700.5213(3) (If necessary, the court may appoint a temporary guardian with the status of an ordinary guardian of a minor but the authority of a temporary guardian shall not exceed 6 months.)

15. MCR 5.403(A)

16. MCR 5.403(B)

17. MCL 700.5215

A limited guardian appointed under this section has all of the powers and duties enumerated in section 5215 except that a minor's limited guardian shall not consent to marriage or adoption of the minor ward or to the release of the minor ward for adoption.[18]

15.8. PROCEDURE

15.8.1. *Procedure*

(1) The petitioner shall give notice of the time and place of hearing of a petition for the appointment of a minor's guardian to each of the following[19]:

a. The minor, if 14 years of age or older.
b. The person who had the principal care and custody of the minor during the 63 days preceding the date of the petition.
c. Each living parent of the minor or, if neither of them is living, the adult nearest of kin to the minor.

(2) Upon hearing, if the court finds that a qualified person seeks appointment, venue is proper, the required notices have been given, the requirements of section 5204 or of sections 5205 and 5206 are satisfied, and the minor's welfare will be served by the requested appointment, the court shall make the appointment. In other cases, the court may dismiss the proceeding or make another disposition of the matter that will serve the minor's welfare.[20]

15.8.2. *Lawyer-Guardian ad litem for the Minor*

When a guardian is nominated for a minor and at the point a petition for removal or resignation of the guardian is sought, the court, at any time in the proceedings, may appoint a lawyer-guardian ad litem to represent the minor if the court determines that the interests of the minor are or may be inadequately represented. The lawyer-guardian ad litem is to give due consideration to the preference of the minor if the minor is 14 years of age or older.[21]

15.9. COURT REVIEW OF GUARDIANSHIPS

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18. MCL 700.5206(4)
19. MCL 700.5213(1)
20. MCL 700.5213(2)
21. MCL 700.5213(4)

15.9.1. *Court Review Factors*

The court may review a guardianship for a minor as it considers necessary and shall review a guardianship annually if the minor is under 6 years of age. [Distinction: The guardian has duties that include filing an annual report/letters with the court until the child reaches the age of majority. The guardian's duties are not to be confused with the court's duties.] In conducting the review, the court shall consider all of the following factors[22]:

(a) The parent's and guardian's compliance with either of the following, as applicable:
  (i) A limited guardianship placement plan.
  (ii) A court-structured plan under subsection (3)(b)(ii)(B) or section 5209(2)(b)(ii).
(b) Whether the guardian has adequately provided for the minor's welfare.
(c) The necessity of continuing the guardianship.
(d) The guardian's willingness and ability to continue to provide for the minor's welfare.
(e) The effect upon the minor's welfare if the guardianship is continued.
(f) Any other factor that the court considers relevant to the minor's welfare.

The court may order the DHS or a court employee or agent to conduct an investigation and file a written report of the investigation regarding the above factors.[23]

Upon completion of a guardianship review, the court may either continue the guardianship or schedule and conduct a hearing on the status of the guardianship. At the conclusion of such a hearing, the court may continue the limited guardianship, order the parties to modify the limited guardianship, terminate the guardianship or appoint an attorney to represent the minor.[24]

15.10. TERMINATION OF GUARDIANSHIP

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22. MCL 700.5207(1)
23. MCL 700.5207(2)
24. MCL 700.5207(3)

15.10.1. *Authority Continues Until Termination of Guardianship*

The guardian`s authority continues until terminated with the death, resignation with court approval, or removal of the guardian by the court or upon the minor's death, adoption, marriage, or attainment of majority.[25] A guardianship may terminate without order of the court upon the child's death, adoption, marriage, or attainment of majority.

15.10.2. *Petition to Terminate Guardianship*

(1) After notice and hearing on a petition under section 5208 to terminate a limited guardianship, the court shall terminate the limited guardianship if it determines that the minor's parent or parents have substantially complied with the limited guardianship placement plan. The court may enter orders to facilitate the minor's reintegration into the home of the parent or parents for a period of up to 6 months before the termination.[26]

(2) For a petition to terminate a guardianship in which subsection (1) does not apply, after notice and hearing, the court may do any of the following[27]:

(a) Terminate the guardianship if the court determines that it is in the best interests of the minor, and do any of the following:

(i) Enter orders to facilitate the minor's reintegration into the parent's home for a period of up to 6 months before the termination

(ii) Order the Department of Human Services to supervise the transition period when the minor is being reintegrated into his or her parent's home.

(iii) Order the Department of Human Services to provide services to facilitate the minor's reintegration into his or her parent's home.

(b) Continue the guardianship for not more than 1 year after the hearing date if the court determines that it is in the best interests of the minor, and do any of the following:

(i) If the guardianship is a limited guardianship, order the parent or parents to comply with 1 of the following:

(A) The limited guardianship placement plan.

(B) A court-modified limited guardianship placement plan.

(C) If the limited guardianship was established before December 20, 1990, a court-structured plan that enables the minor to return to the home of his or her parent or parents.

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25. MCL 700.5217

26. MCL 700.5209(1)

27. MCL 700.5209(2)

(i) If the guardianship is ordered under section 5204, order the parent or parents to follow a court-structured plan that enables the minor to return to the home of his or her parent or parents.

(ii) If a guardianship is continued under subparagraph (i) or

(iii) Schedule and conduct a hearing to review the guardianship before the expiration of the period of time that the guardianship is continued and either terminate the guardianship or limited guardianship or proceed under subdivision (c) or (d).

15.10.3. *Lawyer-Guardian ad litem for the Minor; Referral to the Department of Human Services; Child Protection Petition in Family Court*

When considering a petition to terminate a guardianship, the court may appoint an attorney (lawyer-guardian ad litem) to represent the minor or refer the matter to the DHS. The attorney or the DHS may file a complaint on behalf of the minor requesting the Family Division of the Circuit Court to take jurisdiction of the minor under section 2(b) of chapter XIIA of 1939 PA 288, MCL 712A.2.[28] *See* 15.9, Failed Guardianship as a Basis for Child Protection Jurisdiction.

15.10.4. *Termination of Guardianship Upon Disposition of Child Custody Action*

Upon receipt of a copy of a judgment or an order of disposition in a child custody action regarding a minor that is sent to the court as provided in section 6b of the child custody act of 1970, 1970 PA 91, MCL 722.26b, the court shall terminate the guardianship or limited guardianship for that minor.[29]

15.11. PERMANENT GUARDIANSHIP

(c) If the minor resides with the guardian or limited guardian for not less than 1 year and if the court finds that the minor's parent or parents have

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28. MCL 700.5209(2)(d)

29. MCL 700.5210

failed to provide the minor with parental care, love, guidance, and attention appropriate to the child's age and individual needs resulting in a substantial disruption of the parent-child relationship, the court can continue the guardianship if it is established by clear and convincing evidence that the continuation would serve the best interests of the minor.[30]

15.12. BEST INTERESTS APPLIED TO GUARDIANSHIPS

As used in the court reviews and terminations of either general or limited guardianships, "best interests of the minor" means the sum total of the following factors to be considered, evaluated and determined by the court[31]:

(i) The love, affection, and other emotional ties existing between the parties involved and the child.

(ii) The capacity and disposition of the parties involved to give the child love, affection, and guidance and continuation of the educating and raising of the child in its religion or creed, if any.

(iii) The capacity and disposition of the parties involved to provide the child with food, clothing, medical care or other remedial care recognized and permitted under the laws of this state in place of medical care, and other material needs.

(iv) The length of time the child has lived in a stable, satisfactory environment, and the desirability of maintaining continuity.

(v) The permanence, as a family unit, of the existing or proposed custodial home.

(vi) The moral fitness of the parties involved.

(vii) The mental and physical health of the parties involved.

(viii) The home, school, and community record of the child.

(ix) The reasonable preference of the child if the court considers the child to be of sufficient age to express preference.

(x) The willingness and ability of the guardian to facilitate and encourage a close and continuing parent-child relationship between the child and his or her parent or parents.

(xi) "Domestic violence regardless whether the violence is directed against or witnessed by the child."

(xii) Any other factor considered by the court to be relevant to a particular dispute regarding termination of a guardianship, removal of a guardian, or parenting time.

15.13. FAILED GUARDIANSHIP AS A BASIS FOR CHILD PROTECTION JURISDICTION; GUARDIANSHIP AS A DISPOSITIONAL ALTERNATIVE

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30. MCL 700.5209(c)

31. MCL 700.5101(a)

The Juvenile Code allows the court to appoint a guardian for a minor once the case has been adjudicated and a petition for guardianship filed with the court.[32] If a guardianship is ordered by the court, the juvenile neglect or delinquency petition may be dismissed.

A petition for neglect may be filed with the Family Court if the guardianship placement plan or court-structured plan has not been complied with by the parent.[33] Similarly, the Juvenile Code permits termination of parental rights when the parent has substantially failed to comply with a limited guardianship placement plan or a court-structured plan where such non-compliance has resulted in a disruption of the parent-child relationship.[34] The court also has authority to terminate parental rights where the child has a guardian and the parent has failed to support the child or visit the child for two years or more without good cause.[35]

15.14. EMANCIPATION OF MINORS

15.14.1. *Generally*

Emancipation may be an appropriate legal strategy for a youngster over 16, who wish to live independently, is able to live independently, and who does not wish to work toward reunification with his/her family. The effect of emancipation is to allow the minor to acquire a domicile separate from the parents, and to allow the minor to control his/her own money. In some cases, the teen may be able to make a gradual transition to independence by paying room and board to a placement family member.

15.14.2. *Emancipation by Law*

Emancipation occurs by operation of law when a minor is validly married, when a person reaches the age of 18 years, the period when the minor is on active duty with the armed forces of the United States, and for purposes of consenting to routine, nonsurgical medical care or emergency medical treatment to a minor when the minor is in the custody of a law enforcement agency and the minor's parent or guardian cannot be promptly located.[36] A problem of securing emergency medical treatment for minors in the custody of police officers that prompted this amendment to the statute.

15.14.3. *Emancipation by Court Order*

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32. MCL 712A.18(1)(h)
33. MCL 712A.2(b)(5)
34. MCL 712A.19b(3)(d)&(e)
35. MCL 712A.19b(3)(f)
36. MCL 722.4(2)(d)&(e)

A minor seeking emancipation shall file a petition for emancipation in the family division of Circuit Court in the county where the minor resides. The petition shall be signed and verified by the minor, and shall include all of the following information[37]:

(a) The minor's full name and birth date, and the county and state where the minor was born.
(b) A certified copy of the minor's birth certificate.
(c) The name and last known address of the minor's parents, guardian, or custodian.
(d) The minor's present address, and length of residency at that address.
(e) A declaration by the minor indicating that he or she has demonstrated the ability to manage his or her financial affairs. The minor may include any information he or she considers necessary to support the declaration.
(f) A declaration by the minor indicating that he or she has the ability to manage his or her personal and social affairs. The minor may include in this section any information he or she considers necessary to support the declaration.

The petition shall include an affidavit by any of the following individuals declaring that the individual has personal knowledge of the minor's circumstances and believes that under those circumstances emancipation is in the best interests of the minor[38]:

(a) Physician.
(b) Nurse.
(c) Member of the clergy.
(d) Psychologist.
(e) Family Therapist.
(f) Certified social worker.
(g) Social worker.
(h) Social work technician.
(i) School administrator.
(j) School counselor.
(k) Teacher.
(l) Law enforcement officer.
(m) Duly regulated child care provider.

A copy of the petition and a summons to appear at the hearing shall be served on the minor's parents or guardian. A notice of hearing shall also be sent to the individual who provided the affidavit required under subsection (2).[39]

After a petition is filed, the court may do 1 or more of the following[40]:

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37. MCL 722.4a(1)
38. MCL 722.4a(2)
39. MCL 722.4a(3)
40. MCL 722.4b

(a) Assign an employee of the court to investigate the allegations of the petition and to file a report containing the results of the investigation with the court.
(b) Appoint legal counsel for the minor.
(c) Appoint legal counsel for the minor's parents or guardian if they are indigent and if they oppose the petition.
(d) Dismiss the petition if the minor's custodial parent does not consent and is providing support.

The hearing shall be before a judge or referee sitting without a jury. If the minor requests that the hearing be before a judge, the hearing shall be before a judge and not before a referee. The court shall issue an emancipation order if it determines that emancipation is in the best interest of the minor and the minor establishes all of the following[41]:

(a) That the minor's parent or guardian does not object to the petition; or if a parent or guardian objects to the petition, that the objecting parent or guardian is not providing the minor with support.
(b) That the minor is at least 16 years of age.
(c) That the minor is a resident of the state.
(d) That the minor has demonstrated the ability to manage his or her financial affairs, including proof of employment or other means of support. "Other means of support" does not include general assistance or aid to families with dependent children administered under the social welfare act, Act No. 280 of the Public Acts of 1939, being sections 400.1 to 400.121 of the Michigan Compiled Laws.
(e) That the minor has the ability to manage his or her personal and social affairs, including, but not limited to, proof of housing.
(f) That the minor understands his or her rights and responsibilities under this act as an emancipated minor.

A minor who petitions the court for emancipation shall have the burden of showing by a preponderance of evidence that emancipation should be ordered.[42]

15.14.4. *Granting or Denying Petition; Appeal Rights*

If the court issues an emancipation order, the court shall retain a copy of the order until the emancipated minor becomes 25 years of age.[43] An emancipation obtained by fraud is voidable. Voiding such an order does not affect an obligation, responsibility, right, or interest that arose during the period of time the

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41. MCL 722.4c(1)&(2)
42. MCL 722.4c(3)
43. MCL 722.4c(4)

order was in effect.[44] The minor or a parent or guardian of the minor may file an appeal from the court's grant or denial of an emancipation petition. This petition shall be filed in the Court of Appeals.[45]

15.14.5. *Petition to Rescind Order*

A parent of a minor emancipated by court order or a minor emancipated by court order may petition the Family Division of Circuit Court that issued the order to rescind the order. If the order of emancipation is entered by the Probate Court before January 1, 1998, the parent or minor may petition the Family Division of the Circuit Court in the county in which the order was entered to rescind the order. A copy of the petition for rescission and a summons shall be served on the minor or the minor's parents. The court shall grant the petition and rescind the order of emancipation if it determines 1 or more of the following[46]:

(a) That the minor is indigent and has no means of support.
(b) That the minor and the minor's parents agree that the order should be rescinded.
(c) That there is a resumption of family relations inconsistent with the existing emancipation order.

If a petition for rescission is granted, the court shall issue an order rescinding the emancipation order and retain a copy of the order until the minor becomes 25 years of age.[47] Rescission of an emancipation order does not alter any contractual obligations or rights or any property rights or interests that arose during the period of time that the emancipation order was in effect.[48] The minor or a parent of the minor may file an appeal from the court's grant or denial of a petition for rescission of an emancipation order. The appeal shall be filed in the Court of Appeals.[49]

15.14.6. *Rights and Responsibilities of Emancipated Minors*

A minor emancipated by operation of law or by court order shall be considered to have the rights and responsibilities of an adult, except for those specific constitutional and statutory age requirements regarding voting, use of alcoholic beverages, and other health and safety regulations relevant to him or her because

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44. MCL 722.4c(5)
45. MCL 722.4c(6)
46. MCL 722.4d(3)
47. MCL 722.4d(4)
48. MCL 722.4d(5)
49. MCL 722.4d(6)

of his or her age. A minor shall be considered emancipated for the purposes of, but not limited to, all of the following[50]:

(a) The right to enter into enforceable contracts, including apartment leases.
(b) The right to sue or be sued in his or her own name.
(c) The right to retain his or her own earnings.
(d) The right to establish a separate domicile.
(e) The right to act autonomously, and with the rights and responsibilities of an adult, in all business relationships, including, but not limited to, property transactions and obtaining accounts for utilities, except for those estate or property matters that the court determines may require a conservator or guardian ad litem.
(f) The right to earn a living, subject only to the health and safety regulations designed to protect those under the age of majority regardless of their legal status.
(g) The right to authorize his or her own preventive health care, medical care, dental care, and mental health care, without parental knowledge or liability.
(h) The right to apply for a driver's license or other state licenses for which he or she might be eligible.
(i) The right to register for school.
(j) The right to marry.
(k) The right to apply to the medical assistance program administered under the social welfare act, Act No. 280 of the Public Acts of 1939, being sections 400.1 to 400.121 of the Michigan Compiled Laws, if needed.
(l) The right to apply for other welfare assistance, including general assistance and aid to families with dependent children administered under Act No. 280 of the Public Acts of 1939, if needed.
(m) The right, if a parent, to make decisions and give authority in caring for his or her own minor child.
(n) The right to make a will.

The parents of a minor emancipated by court order are jointly and severally obligated to support the minor. However, the parents of a minor emancipated by court order are not liable for any debts incurred by the minor during the period of emancipation.[51]

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50. MCL 722.4e(1)
51. MCL 722.4e(2)