

STATE OF MICHIGAN PROBATE COURT COUNTY OF	ORDER APPOINTING ELDERCARING COORDINATOR (EC)(2)	CASE NO. AND JUDGE
Court Address	Court Telephone No.	

In the matter of _____
First, middle, and last name

1. Upon the entry of an Order of Referral to Eldercaring Coordination, this Court hereby determines that an Eldercaring Coordinator (EC) shall be appointed in this proceeding.

IT IS ORDERED:

2. A. _____
Name (type or print)

Address

City, State, Zip Telephone No.

- and B _____
Name (type or print)

Address

City, State, Zip Telephone No.

is/are appointed as EC.

- b. The EC shall file a response to this Order within 24 hours accepting or declining the appointment.
- c. **Timeline.** The participants, or if represented the attorneys, shall contact the EC within seven (7) days of the date of this Order to schedule the first appointment.
- d. The EC is appointed to serve the Court for a period of _____ months (not to exceed two years).
- e. A hearing shall be held at least 28 days prior to the expiration of the EC’s term to review the need for an extension or on stipulation of all parties submitted in writing.
- f. **Scope of Authority.** The EC shall be authorized to make limited decisions within the scope of this Order of Appointment regarding:

- a. With the express written consent of the elder and participants designated in this Court Order, the EC may have additional temporary decision-making authority to resolve specific,

- non-substantive disputes between the participants until such time as a court order is entered modifying the decision; or make recommendations related to the resolution of disputes regarding the care of the elder.
- b. The EC can make non-substantive decisions provided the decisions are in furtherance of the Eldercaring Coordination process or within the scope of the Court Order. Non-substantive decisions may consist of:
- Who attends;
 - Time and duration of meetings; and
 - Choices related to fostering well-informed decision making.
- c. **Limitation of Authority.** The EC shall not have decision making authority to resolve substantive disputes between the participants. A dispute is substantive if it would:
- Change the determination of capacity or incapacity of the elder;
 - Change the nature and scope of the existing authority of a legally authorized decision-maker;
 - Change the residence of the elder; or
 - Delegate any rights of the elder to another person.
- d. The EC shall not make a substantive recommendation to the Court unless the Court, on its own motion or by joint motion of the participants, determines that:
- There is an emergency affecting the safety of the elder;
 - The recommendation would be in the best interest of the elder; and
 - The participants agree that any Eldercaring Coordination communications that may be raised to support or challenge the recommendation of the EC will be permitted.
- g. **Payment.** The EC may delay beginning the Eldercaring Coordination process until they are satisfied with the terms and conditions of payment for their services. Further, the EC may delay continuing to perform the Eldercaring Coordination services in this case until all of their fees and costs are paid by the participants as ordered. In the event of nonpayment, the EC shall file a Request for Status Conference, and the Court will address the issue of non-payment of fees and costs.
- h. **Releases of Information.** The EC is entitled to communicate with the participants, health care providers, psychosocial providers, guardian, law enforcement, financial institutions and any other third-party deemed necessary by the EC for the Eldercaring Coordination process. The participants will cooperate with the EC and shall execute any necessary releases for communications related to the elder. In the event that any psychological evaluations, guardian reports, or any other reports related to the elder are prepared for any participant, the EC may review such evaluations or reports. Furthermore, to the extent that any such evaluation or report is made confidential by any prior order of the Court, then this Order shall authorize the release of said evaluation or report to the EC.
- i. **Discharge of an EC.** At any time, any participant may apply directly to the Court for the discharge of the EC and shall provide the participants and counsel with notice of the application for discharge.
- j. **Withdrawal Procedure.** With Court approval, the EC may withdraw from the role of EC. The EC shall petition the Court to withdraw and shall provide notice to the participants and their counsel of the petition.
-
-

Date

Judge

Bar No.