



Michigan  
*Office of the Auditor General*  
**REPORT SUMMARY**

*Performance Audit*  
*Selected Probate Court Conservatorship and*  
*Guardianship Cases*

Report Number:  
950-0605-11

Released:  
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*A conservatorship case involves a protected individual and a conservator who is appointed by a probate court to manage a protected individual's estate. A guardianship case involves a minor or a legally incapacitated individual, referred to as a ward, and a court-appointed guardian. The State Court Administrative Office (SCAO) is the administrative agency of the Michigan Supreme Court and is charged with helping Michigan trial courts, including probate courts, operate effectively so that they can serve the public.*

***Audit Objective:***

To determine the accuracy and validity of assertions contained in conservators' and guardians' required probate court filings.

***Audit Conclusion:***

We determined that the assertions contained in the conservators' and guardians' required probate court filings were generally accurate and valid. We noted one reportable condition (Finding 1).

***Reportable Condition:***

The SCAO should improve its efforts to identify and establish best practices and the probate courts should improve their efforts to follow best practices to help ensure conservator and guardian compliance with requirements of the *Michigan Compiled Laws* and the Michigan Court Rules (Finding 1).

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***Audit Objective:***

To assess the effectiveness of probate courts' efforts to oversee conservatorship and guardianship cases.

***Audit Conclusion:***

We concluded that probate courts' efforts to oversee conservatorship and guardianship cases were moderately effective. We noted four reportable conditions (Findings 2 through 5).

***Reportable Conditions:***

The probate courts should improve their procedures for reviewing conservator-submitted annual accountings (Finding 2).

The SCAO and the probate courts should establish additional controls regarding the oversight of conservatorship and guardianship cases (Finding 3).

The probate courts did not always perform guardianship case reviews in accordance with the *Michigan Compiled Laws* (Finding 4).

The SCAO did not provide guidance to the probate courts on performing background checks prior or subsequent to the appointment of conservators or guardians (Finding 5).

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**Agency Response:**

Our audit report contains 5 findings and 5 corresponding recommendations. The SCAO's preliminary response indicates that it generally agrees with all 5 recommendations.

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A copy of the full report can be obtained by calling 517.334.8050 or by visiting our Web site at: <http://audgen.michigan.gov>



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