

## The Sanilac County Public Guardian Office

The Sanilac County Public Guardian Office is appointed by a Probate Court to protect and manage the lives of protected individuals. The Public Guardian Office currently serves in the following capacities: Legal Guardian, Conservator, Special Fiduciary, Trustee and Representative Payee. The office works closely with many other agencies to advocate for services on behalf of the clients we serve including but not limited to: Social Security, Sanilac County Community Mental Health, Department of Health and Human Services, Human Development Commission, Attorneys, Banks, Law Enforcement, Medical Professionals, Hospitals, Treatment Programs, Insurance Agencies and Care Providers.

### What do Guardians do?

It is frequently assumed that the appointment of a guardian for an adult is the same as a guardian of a child. This is not the case. Whereas the guardian of a child is a caretaker, the guardian of an adult is a care monitor, advocate and manager of services.

Adult guardians have varying authority based on the wards needs and the specific authority granted by the court. A Probate Court judge can grant a full, limited, plenary or partial guardian depending on the individual and their specific needs. A judge may grant authority of medical needs, financial needs, legal needs, housing decisions or any combination of these.

Typically, the role of guardians of an adult are to manage a person's life. Guardians must assure that the ward is receiving and maintaining any and all benefits a ward may be entitled to. This entails applying for financial and medical benefits as well as maintaining accountability to the court, state and federal entities. The guardian is to assure that the ward is living in a safe environment and that medical and therapeutic services are provided in a manner that provides a quality of life.

The Guardian must file an annual report with the Probate Court to keep the court, ward and interested parties informed of the activity and the progress of the ward during the past year.

## What do Conservators do?

A Conservator is similar to a guardian in that it is a role that is appointed by the Probate Court to protect the finances and property of a protected individual.

Conservators are appointed when there is property or funds that can be squandered or exploited if not managed properly.

It is the role of the conservator to secure and protect all of the assets and property of the ward. These assets can include but are not limited to: property, houses, retirement plans, annuities, bank accounts and/or stocks.

A Conservator must keep records and must file an annual accounting with the Probate Court to keep the court, ward and interested parties informed of the assets that remain in the estate.

## What do Representative Payees do?

The Sanilac County Public Guardian Office is recognized by the Social Security Administration as an organizational payee. A representative payee is a person or an organization appointed by social security to receive the Social Security and/or SSI benefits for anyone who cannot manage or direct the management of his or her benefits.

A payee's main duties are to use the benefits to pay for the current and future needs of the beneficiary, and properly save any benefits not needed to meet current and future needs. A payee must also keep records of expenses. When requested by Social Security, a payee must provide an accounting and proofs of how he or she used or saved the benefits.

A representative payee does not necessarily need to be appointed by a probate court but can be requested by the individual or an agency that sees there is a need for payee services.

## Referral for Services

Most times when the Sanilac County Public Guardian Office is appointed as any of the above mentioned roles there is much to do and little to no information available. Therefore, effective August 2019 we are requiring a pre-acceptance referral. This provides us with needed information and provides us a picture of what a person needs and if we have the capacity at the time to meet those needs. There is a link on the Public Guardian page of the Sanilac County website to the referral form.