

UNIFORM POWER OF ATTORNEY ACT (EXCERPT)
Act 187 of 2023

556.216 Judicial relief; dismissal of petition.

Sec. 116.

(1) Without precluding other bases on which such matters may properly be brought before the court, any of the following persons may petition a court to construe a power of attorney or review the agent's conduct and grant appropriate relief:

- (a) The principal or the agent.
- (b) A guardian, conservator, or other fiduciary acting for the principal.
- (c) A person that, at the time of the petition, is exercising authority to make health care decisions for the principal.
- (d) An individual who, at the time of the petition, would be an heir of the principal if the principal were to die intestate at that time.
- (e) A person named as a beneficiary to receive any property, benefit, or contractual right on the principal's death or as a beneficiary of a trust created by or for the principal the trustee of which has a financial interest in the principal's estate.
- (f) The personal representative of the principal's estate.
- (g) Adult protective services.
- (h) A caregiver or another person that demonstrates sufficient interest in the principal's welfare.
- (i) A person asked to accept the power of attorney.

(2) Upon motion by the principal, the court shall dismiss a petition filed under subsection (1) unless the court finds 1 of the following:

- (a) That the principal lacks capacity to revoke the agent's authority or the power of attorney.
- (b) That the motion is the effect of undue influence, fraud, or duress.
- (3) Without precluding other bases on which such matters may properly be brought before the court, any of the following persons may petition a court to review conduct regulated by this act on the part of a person to whom a power of attorney is presented for acceptance and to grant appropriate relief:
 - (a) The principal or the agent.
 - (b) A guardian, conservator, or other court-appointed fiduciary acting for the principal.

History: 2023, Act 187, Eff. July 1, 2024