

When it's Time to Step in

Do you have a child addicted to drugs and you want to try to obtain custody of their minor child in Michigan?

In Michigan, you may seek guardianship of a minor child if there is no parent available to make the day-to-day decisions of the child in certain circumstances. A guardian is defined as a person who has qualified as a guardian of a minor or a legally incapacitated individual under a parental or spousal nomination or a court appointment and includes a limited guardian. A typical situation in where a minor child might become subject of a guardianship is when the minor's parents are unable to provide the necessary day-to-day care of the child due to incarceration, death, or other circumstances.

What is a Limited Guardianship?

It is easier for a grandparent and/or other responsible adult to obtain the guardianship necessary for the day-to-day care of the minor child if the custodial parent files a petition for a "limited guardianship" approving of the appointment of the limited guardian. In filing a petition for the appointment of a limited guardian to appoint a person to be the limited guardian of their child, the parent and/or the parents of the minor child must consent to the appointment of the limited guardian to facilitate the day-to-day care of the minor child and must facilitate a plan to retain their parental rights to the child/children.

To file for a limited guardianship, the parent/parents must file a petition accompanied by a placement plan which entails the plan regarding parental visitation and it must include any and all probation/rehabilitation plans to ensure proper day-to-day care of the minor child after the incarceration or change in circumstance of the parent, including residential plans and/or the completion of rehabilitation programs. The plan can be modified by the court of the parties involved. Until there is compliance with the plan, the parent/parents cannot retain rights to their minor child/children.

What is the Parents' Role?

In filing the petition, the parent/parents must consent to the suspension of their parenting rights until the probation/rehabilitation plan has been completed. This is extremely helpful in circumstances involving parents with alcohol and/or drug addictions since the return of the parental rights may be limited to when the parent/parents actually comply with the rehabilitation program. This not only serves the best interest of the minor child, but will promote the health of the parents to a better lifestyle.

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Limited guardianships serve to protect the child/children and allow the grandparents or other caregivers to step in and care for their grandchild/children. It should be utilized to create a quick solution to allow the child/children to continue their established lifestyle with the least amount of disruption.

For more information on grandparent's legal rights and other family law information, visit www.willinghamcote.com/Practice-Areas/Family-Law.

If you have questions or you need assistance with filing a petition for a limited guardianship, please contact **Torree Breen** at Willingham & Coté, P.C.

ONLINE RESOURCES:

www.grandparentsrights.org/

www.aarp.org

www.samhsa.gov/find-help/national-helpline

www.midmichiganrecoveryservices.org



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Commercial Litigation
Divorce & Family Law
Estates & Gifts
Hospitality & Alcohol Law





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In the News



Kimberlee A. Hillock

MDTC Announcement

Attorney **Kimberlee Hillock**, chair of the Appellate practice group, was appointed to the Board of Directors for the Michigan Defense Trial Counsel (MDTC) for the 2018/2019 term. Her appointment began on July 1, 2018. Kim has been active with the MDTC serving as the former associate editor of and regular contributor to the Michigan Defense Quarterly, and is a current co-chair of the Michigan Defense Trial Counsel's Amicus Committee. She was also selected as the 2016 Volunteer of the Year.

MDTC is an association of the leading lawyers in the State of Michigan dedicated to representing individuals and corporations in civil litigation. As the state's premier organization of civil litigators, the impact of MDTC members is felt through its amicus briefs, often filed by express invitation of the Supreme Court, through its far reaching and well-respected quarterly publication and through its timely and well-received seminars.

Congratulations, Kim!



Anthony S. Kogut



Joseph Van Horn

MBWWA Conference

Attorneys **Tony Kogut** and **Joseph Van Horn**, members of the Hospitality and Alcohol Beverage Practice Group, presented at the Michigan Beer and Wine Wholesalers Association's (MBWWA) 2018 Summer Conference at the Crystal Mountain Resort and Spa. They presented on litigation trends as well as why every business should consider adopting a formal document retention policy. The MBWWA is a leading trade association advocating on behalf of family-owned businesses in the beer and wine distribution industry.

Connect with us on Social Media



Did you know our newsletter is just one way in which we communicate with clients. Our Facebook page is another. If you are a Facebook user, please find us on Facebook (@WillinghamCote) and "**Like**" and "**Follow**" us. Via our page, you can access informative legal blogs, view engaging video, receive staff announcements and other firm news. We also welcome client reviews and interactive comments. Facebook also allows for easy "sharing" of legal news that may be of interest to your friends and family on Facebook. Join us today!



Community Involvement

Our firm strongly believes in the importance of supporting community programs and events. These principles are exhibited through donations, sponsorships and participation in community functions.



5th Annual MSU Homecoming Tailgate!

It's hard to believe it's been 5 years since our inaugural tailgate. Our turnout has tripled over the years! We hope you can "Save the Date" for this family friendly event: **Saturday, October 6**. MSU will be playing the Northwestern University Wildcats. Join us at the MSU campus Tailgate Area at **Demonstration Hall**.



Please RSVP:
517.324.1037

- Tailgate begins at 10am. Kickoff is at noon.
- Parking available at our office (the Marriott parking structure) on Albert Ave. or the Munn Parking Lot (on the MSU campus). Shuttle service available from Lot 89.
- A large-screen TV and comfortable seating will be available to view the game for those without tickets. Food and beverages will be provided.



Save the date for our...

Willingham & Coté
TAILGATE PARTY!

**MSU
VS
NU**

OCTOBER 6

Firm News



Changing of the Guard

After 15 years of service to W&C clients, **Lee Reimann** has announced that she is stepping down as a full-time attorney and chair of the estate planning group and member of the business law group. The board has accepted her offer to become "of counsel" and her clients will be introduced to fellow attorneys, **Torree Breen**, **Scott Breen**, and **Heather Gilkey**, who are able to represent our firm's clients in all estate planning, business and real estate matters. "My time with Willingham & Coté has been richly fulfilling in terms of my relationships with my clients and colleagues," says Reimann. "I have loved how the attorneys and staff treat each other like family, and I think that comes across in the service we provide to our clients." Lee plans to spend the coming months spending more time with family, traveling, and exploring ways to change the national conversation about family caregiving, a large and growing challenge to our collective health and prosperity.

During her tenure at Willingham & Coté, Lee has served terms as the firm's managing attorney, president, and treasurer, and chair of the marketing committee. Lee has also served as president of the Ingham County Bar Association and the East Lansing Rotary, and on the boards of Legal Services of South Central Michigan and the Capital Area Community Foundation.

Areas of Practice:

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Criminal Law
Family Law
Estates & Gifts
Franchise Law
Hospitality & Alcohol Law
Insurance Law
Professional Licensing
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Staff Announcements



Attorney Cara M. Rumsey *joins Willingham & Coté*

Attorney Cara M. Rumsey has joined our firm and is a member of the Litigation and Insurance practice group. Prior to joining Willingham & Coté, P.C., she worked as a judicial law clerk for the judges of The Ninth Circuit Court for the County of Kalamazoo in Kalamazoo, Michigan. In this capacity, Ms. Rumsey advised the judges on both civil and criminal motions pending before the Court and drafted legal orders and opinions.

Ms. Rumsey practices Insurance Law. She represents insurance companies by defending against disputed policyholders claims. Primarily, her defense involves first-party No-fault Insurance personal injury protection (PIP) benefits. She received her undergraduate degree from the University of Michigan in Neuroscience and her Juris Doctorate from the University of Toledo College of Law.

When not at work, Ms. Rumsey can be found spending time with family and friends, reading, and traveling to new places.

Cristal Casler has joined the firm as a litigation paralegal, supporting the Medical Malpractice Defense practice group.



Kasey Clymo has joined our staff working on special projects.