



September 17, 2021

Honorable Graham Filler, Chairman
House Judiciary Committee
Michigan House of Representatives
P.O. Box 30014
Lansing, Michigan 48909

Re: House Bills 4847-4850

Dear Representative Filler:

I am writing to strongly suggest that the attempt to limit professional guardians by number of cases as well as certification will complicate and devastate the field rather than correct the problems. My practice is comprised of approximately 160 cases with a specialty in brain injury. We care for individuals who have suffered catastrophic auto accidents, medical malpractice, service-connected injuries, substance abuse, progressive diseases, sports injuries, and other injuries. Our clients are typically younger, mobile, and exhibit aberrant behaviors. Many have committed crimes and are on a strict probation that orders institutional stays for therapy and rehabilitation. Some have been adjudicated as sexual predators and others have histories of mental health issues/hospitalizations.

My company is based on a social work case management model. This integrated approach is necessary to maintain the clients' health and safety, financial benefits and to assure compliance with Court Orders (probation). It supports them to maintain employment and ensure that their programs are following their plan of care. We are in regular contact with our clients and numerous groups such as:

- their medical and therapeutic teams
- the residential programs housing them and vocational programs
- Social Security and Medicaid and other case workers
- Adult Protective Services and Child Protective Services
- their families and in some cases their religious leaders.

Please note that many of our cases are younger individuals who lack enough work history to get disability benefits. We help them maintain employment so that they eventually qualify for Social Security Disability Benefits and Medicare. Often, we can get them supplemental medical insurance which then eliminates the need for Medicaid and saves the State money.

If this Bill is adopted, I will be forced to drop most of my cases, lay off 25 employees and begin to close. While my business longevity may not be a primary concern for you, it would mean that individuals with histories of legal transgressions will be released into the community and be a danger to themselves and the public. Most will immediately discharge from their programs either due to their own decisions or their programs will refuse to keep them without the support of a guardian.

Family members, under our Probate Code, take priority when guardianship is necessary. Therefore, a professional guardian is appointed only after a Court has determined that the family is not suitable. From our experience, this is because of sexual abuse, substance abuse or financial abuse and/or they have abandoned the Ward. These Wards will be put in harm's way with no safety net. Under current budget and Covid-19 constraints, neither Adult Protective Services nor Child Protective Services can absorb an influx of new cases.

This Bill, while well-meaning, will have the opposite effect on this vulnerable population. We saw this years ago when the mental health system radically changed. People will be homeless. People will commit crimes in desperation and people will die.

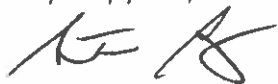
This legacy will be on those who vote to change this system without researching the impact. While the Probate Courts have been attacked as being removed, unprepared or tied to professional guardians, I can say, with over 25 years of service throughout Michigan, that is not the case. Though I may not always agree with a Court decision, I have never questioned the knowledge or engagement of any County Probate Court where I have practiced.

If you wish to strengthen professional guardianship in Michigan, you should begin by bringing in those involved including:

- the Probate Court
- professional guardians
- representatives from Adult Protective Services and Child Protective Services
- the Michigan Hospital Association
- the Brain Injury Association of Michigan
- the Ombudsman group that has worked with our Attorney General.

Strengthening this area is a noble cause. However, making wholesale changes based on recommendations by any group with their own agenda will lead to the collapse of care for disabled people and death. Changes must be properly researched and planned. I would be happy to meet with your committee to discuss professional guardians.

Very truly yours,



Steven Siporin, B.S., M.B.A., J.D. and C.P.A.

cc: Hon. John D. Tomlinson
Hon. Freddie G. Burton, Jr.
Hon. Linda S. Hallmark
Hon. Melanie D. Stanton
Ms. Georgia Callis, Michigan Guardianship Association