JODY WHITE EXH A

REVOCATION OF POWER OF ATTORNEY

On May 1 2021, I, Betty J. Hayes hereby immediately revoke the Durable General Power of Attorney that I previously executed on October 15 2013, which had appointed Cynthia Milfud as my agent and the secondary agent known as Randy Hayes.

I hereby notify said agent(s) and any other interested persons that all portions of said document are revoked.

This revocation was signed in the presence of two witnesses a notary public and goes into effect immediately.

NOTE: Provide copies to anyone who may have copies of the Power of Attorney that is being revoked. Retain the original of this form in your personal papers.

Principal's Signature Betty Jane Hayes
Betty J. Hayes

Witness Signature
Emma Lowdy
Emma Lowdy

Witness Signature
Daniel Grecnshields

NOTARY ACKNOWLEDGMENT

Jackson County

State of Michigan

On this 1st day of May, 2021, before me appeared Betty J. Hayes, as the Principal who proved to me through government issued photo identification to be the above-named person, in my presence executed foregoing instrument and acknowledged that (s)he executed the same as his/her free act and deed.

Rachel Greenshields
Notary Public

Rachel Greenshields
Notary Public of Michigan
Jackson County
Expires 11/4/2024
Acting in the County of Jackson

Print Name: Rachel Greenshields My commission expires: 11/4/2024

JODY WHITE EXH B
4849 4850

RICE RL PLLC LEGAL

615 Griswold St. STE. 400
Detroit, MI 48226
Phone: 313-367-1400
Fax: 313-451-6888
Email: bruce@ricelegalpllc.com

Date: 03/02/2022

Family Options Services, INC.
27109 Harper Ave.
Saint Clair Shores, Michigan 48081

In the Matter of Betty Hayes, LII

Services

Type	Date	Notes	Quantity	Rate	Total
Service	09/13/2021	Conference with client.	0.60	$250.00	$150.00
Service	09/14/2021	Receipt and review of 2019, 2020, and 2021 Accounts, along with corresponding attachments.	0.70	$250.00	$175.00
Service	09/15/2021	Call with Guardian ad Litem.	0.40	$250.00	$100.00
Service	09/15/2021	Appeared for deposition of Rachel Greenshield.	3.80	$250.00	$950.00
Service	09/15/2021	Conference with client.	0.30	$250.00	$75.00
Service	09/16/2021	Call with Attorney Rachael Roseman.	0.90	$250.00	$225.00
Service	09/16/2021	Receipt and review of Petition for Instruction.	0.70	$250.00	$175.00
Service	09/17/2021	Call with Client.	0.30	$250.00	$75.00
Service	09/17/2021	Call with Attorney Thomas Langan.	0.30	$250.00	$75.00
Service	09/17/2021	Call with GAL.	0.20	$250.00	$50.00
Service	09/17/2021	Receipt and review of proposed stipulated Order.	0.20	$250.00	$50.00
Service	09/17/2021	Draft of Emergency Petition for Order of Visitation.	1.00	$250.00	$250.00
Service	09/20/2021	Draft of Petition for Limited Supervision of Trust. Prepped for filing. Conference with client.	1.20	$250.00	$300.00
Service	09/23/2021	Appeared on Deposition of Rachel Greenshields.	3.90	$250.00	$975.00
Service	09/24/2021	Receipt and review of voluminous filing packet from opposing counsels. Including Petitions for instructions and response filings.	1.10	$250.00	$275.00
Service	09/28/2021	Review of Account spreadsheet. Conference with client. Draft of Objections to Accounts. Prepped for	1.40	$250.00	$350.00

		filing.			
Service	09/28/2021	Call with Attorney Rachel Roseman.	0.20	$250.00	$50.00
Service	09/28/2021	Call with Attorney Thomas Langan.	0.30	$250.00	$75.00
Service	09/28/2021	Call with Attorney Teri Jordan.	0.20	$250.00	$50.00
Service	09/28/2021	Conference with client.	0.40	$250.00	$100.00
Service	09/29/2021	Appeared in WCPC on several pending Petitions including Petition for Visitation Order.	2.20	$250.00	$550.00
Service	09/29/2021	Call from Opposing Counsel Rachael Roseman.	0.30	$250.00	$75.00
Service	09/29/2021	Conference with client regarding hearing.	0.20	$250.00	$50.00
Service	10/04/2021	Call with opposing Counsel Thomas Langan.	0.50	$250.00	$125.00
Service	10/04/2021	Call with client.	0.30	$250.00	$75.00
Service	10/04/2021	Call with opposing counsel Rachael Roseman.	0.40	$250.00	$100.00
Service	10/05/2021	Receipt and review of Trust document. Draft of Petition for Supervision of Trust. Email to client for review. Prepped for filing.	2.10	$250.00	$525.00
Service	10/19/2021	Conference with client. Draft of Petition for Order Restricting Account. Prepped and filed.	0.80	$250.00	$200.00
Service	10/19/2021	Email exchange with clerk regarding adjournment of Petition.	0.20	$250.00	$50.00
Service	10/26/2021	Email to NOH to client for service. Conference with client.	0.40	$250.00	$100.00
Service	11/11/2021	Receipt and review of Petition and exhibits filed by Randy Hayes.	0.60	$250.00	$150.00
Service	11/18/2021	Call with Patrick Mifsud.	1.10	$250.00	$275.00
Service	11/18/2021	Call with Thomas Langan.	0.30	$250.00	$75.00
Service	11/18/2021	Email exchange with Patrick Mifsud.	0.10	$250.00	$25.00
Service	11/23/2021	Email exchange with Pat Misfud. Email to opposing counsel.	0.10	$250.00	$25.00
Service	11/27/2021	Conference with client.	0.40	$250.00	$100.00
Service	11/27/2021	Call with Pat Misfud. Draft of email to Pat Misfud	0.60	$250.00	$150.00
Service	11/27/2021	Draft of Emergency Petition to Authorize New Placement.	1.00	$250.00	$250.00
Service	12/01/2021	Call with Thomas Langan.	0.40	$250.00	$100.00
Service	12/01/2021	Call with client regarding upcoming visitation.	0.30	$250.00	$75.00

Service	12/02/2021	Receipt and review of Petition for Continued Instruction filed by Rachel Greenshields.	0.80	$250.00	$200.00
Service	12/03/2021	Receipt and review of revised objections filed by Randy Hayes.	0.40	$250.00	$100.00
Service	12/08/2021	Call with attorney Blake Limpkin.	0.50	$250.00	$125.00
Service	12/14/2021	Receipt and review of accounts and corresponding supplements.	0.80	$250.00	$200.00
Service	12/14/2021	Preparation for upcoming hearing.	1.30	$250.00	$325.00
Service	12/15/2021	Appeared in WCPC on various pending Petitions.	2.50	$250.00	$625.00
Service	12/15/2021	Call with client.	0.30	$250.00	$75.00
Service	12/15/2021	Call with opposing counsel.	0.20	$250.00	$50.00
Service	12/20/2021	Call from Attorney Blake Lipman.	0.30	$250.00	$75.00
Service	12/20/2021	Call with GAL.	0.20	$250.00	$50.00
Service	12/20/2021	Draft of Proposed Orders for entry.	0.80	$250.00	$200.00
Service	12/22/2021	Revisions to proposed Orders. Execution of order per counsel's permission. Submission to Court for entry.	0.50	$250.00	$125.00
				Services Subtotal	**$9,750.00**

Costs

Type	Date	Notes	Quantity	Rate	Total
Expense	09/28/2021	Filing fee.	1.00	$20.00	$20.00
				Expenses Subtotal	**$20.00**
				Subtotal	**$9,770.00**
				Total	**$9,770.00**
		* Voluntary Reduction		**Credit Note**	**-$3,770.00**
				Balance Owing	**$6,000.00**

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due

391	04/01/2022	$9,770.00	$3,770.00	$6,000.00
			Outstanding Balance	**$6,000.00**
			Total Amount Outstanding	**$6,000.00**

JODY White Exh C

HB 4849 4857

Randy Asplund

2101 S. Circle Dr., Ann Arbor, MI. 48103 (734) 663-0954 Randy@RandyAsplund.com

June 20, 2022

The Honorable Graham Filler,
Chairman Michigan House Judiciary Committee
and Members Of The Michigan House Judiciary Committee,
Michigan House of Representatives
PO Box 300014
Lansing, MI. 48909

Re: Rebuttal of lobbyist opposition to HB 4847, 4848, 4849, & 4850 by the Michigan Guardianship Association and certain Michigan Probate Judges.

Dear Representative Filler et all,

It has come to my attention that the Michigan Guardianship Association and a number of Michigan Probate judges have been lobbying the Michigan Legislature hard in order to oppose HB 4847, 4848, 4849, & 4850 and to prevent them from being passed. I have also observed that the MGA and MI Probate Judges have specifically been lobbying for you to enact legislation which would effectively make guardianship in Michigan even more industrialized than it already is. They claim that Bills 4847-4850 are harmful. They are not representing the truth. They have a profit motive which is harmful to their wards.

A recent Michigan Guardianship Association email to its members stated, "*As you know, MGA Leadership has been actively working to prevent damaging bills written by Attorney General's Elder Abuse Task Force from advancing in the Legislature.*"

Who is being damaged by these bills? The answer is: *Only the people who are greatly responsible for the abuse and exploitation of Michigan's vulnerable persons.*

The MGA has a motto which is taken directly from their email to members. You may have heard it. They ask "***IF NOT US, WHO?***"

The answer is simple. In the vast majority of cases, the "WHO" are the loving family or friends of the ward. And that is reflected in current statutes which say that the choice of the ward is the priority, followed by family, and that a professional is the last resort if no other person is available, willing and suitable. The current law specifically prohibits the appointment of a professional if the priority is met.

Why would any rational and reasonable person want professional guardianship to be industrialized, and to make it easier for courts to appoint professionals over the choice of the ward or family than it already is? And it is easy for the court. They do that a lot, without respect to statute.

Are professionals less likely to abuse or exploit the vulnerable than family or friends? Of course not. In fact, we find a lot of abuse and exploitation by professionals. It is in the professional's interests to take them out of their home and sell it, and get rid of the ward's personal possessions so they can stick the ward into a cheap Long Term Care facility. By current statute, the fiduciary is paid before any other debts. Putting wards into an LTC makes less work for the professional and reduces their direct liability. In practice, professional guardians and conservators do not generally care about the health, happiness or social activity of a ward. They often have dozens, even hundreds of wards. The wards are often treated like chattel. Their lives are ruined by the control for profit, and their families are heavily damaged when they step up to try to help.

Are professional guardians and conservators even financially sustainable? In most cases the answer is NO. Professionals are allowed to charge high hourly rates ranging from $125/hr. to well over $600/hr., but it is rare for family or friends to be paid at all. Why would a court allow professionals to earn such high wages beyond what a social worker or accountant would make? Part of the answer is to make it attractive as a profession, especially to probate attorneys, who make up a large portion of professional guardians and conservators. After all, if you didn't make it lucrative enough, why would an attorney be interested? A number of these probate attorneys are also Real Estate professionals. Think about THAT.

Many wards are unable to pay the many billed hours charged by their guardians and conservators. The often unnecessary act of placing them under professionals is often the direct reason that their homes

and possessions are all liquidated. They are sold to pay the fiduciaries. Professional guardianships often destroy the whole family as the loved ones attempt to rescue the ward via the Probate Court system. Their efforts often fail because of the judges themselves actively promoting, enabling, and defending the professional fiduciaries.

The Michigan Legislature has created an incentive for systemic corruption within the Probate Court. A great many Probate judges across MI are abusing their powers of judicial discretion to allow and enable professional fiduciaries to exploit their wards. The judges defend the fiduciaries from acts which would otherwise be criminal. Abuse, theft, larceny by conversion, and frauds are all committed by many professional fiduciaries, but they are considered legal because the judges allow it, even when it specifically violates guardianship and conservatorship law.

Even if one were to argue against that point, the question remains, "Why would the legislature want a judge to make a mental health determination?" In theory, there is supposed to be a medical/psychiatric evaluation, but this is often skipped, or the judge allows and accepts informal, brief examinations which are not telling. We would not want a judge conducting heart surgery, or sewing us up after an automobile accident. It likewise makes no sense for a judge to act as a 5 minute psychiatrist.

The MGA members and Probate judges want you to enact legislation which makes their business more lucrative, and they want you to believe that they are more necessary than they are. The problem with that argument is that they are usually not necessary. Willing and suitable choices of the ward for their fiduciary, and other priority persons, are often simply declared "unsuitable" by the judge. I know from experience. The Washtenaw judge on my mother's case declared that a professional was necessary because no family or friends were suitable. Those family included a retired judge, a retired sheriff deputy, and her eldest child who was her choice and had high credentials and education. All of these persons and the ward opposed the fiduciaries.

Washtenaw judge Julia B. Owdziej is a perfect example of what is going on across Michigan, especially in Washtenaw, Wayne, Oakland, Macomb, Genessee and other counties. The judges themselves are so involved with the professional fiduciaries that they are willing to ignore the statutes and due process guaranteed by the US Constitution in order to take away ALL of a person's rights, and give them to strangers who are then empowered to abuse and destroy the ward financially. Yes, it is a fact that the laws you enact are being ignored. Judge Owdziej had none of the "clear and convincing

evidence" required under statute. She had zero evidence of need, not even a prognosis. My mother had no representation, no chance to confront her accuser according to the 6th Amendment, and was deprived of all her rights to self determination of her life, liberty and her property in 7-1/2 minutes. Our judicial system makes all of that possible because the judges are free to just use their judicial discretion to justify ignoring the laws you make. This judge frequently ignores due process in meaningful and harmful ways as a tool to enable and defend fiduciaries.

Michigan law bestows the power of care, custody, and control to a plenary guardian. There is no stated observance of limits to that care, custody and control with respect to US Constitutional Rights. This power is abused to excuse all manner of thefts and direct abuse. The wards, like my mother, are then in a literal slavery condition because they have been deprived of all rights without due process. My mother is literally treated as chattel, as if she is the personal property of her guardian. She has no quality of life. She and other wards do not even have the ability to get legal representation who will act for them rather than what the court pre-determines. And when family try to help, the judges merely rule against them, regardless of law, evidence, or just outcome.

The MGA and Probate Judges pretend that they exist to help people in need, but the reality is that they themselves have become the problem. If you acquiesce to their wishes, you cause direct, significant harm to the people of Michigan. And it is obvious. Probate matters are becoming news. The corruption is becoming news, and the people are offended.

This raises two very important questions which the Michigan Legislature should be asking:
1) Does Michigan law comport with Federal rights?
Answer: Technically, yes, but only if due process is followed. In practice the answer is often NO.

2) Should professional guardians and conservators exist as they operate now?
Answer: NO. The problem is that they are paid by the estate. So they rip-off the estate and harm anybody in their way. If they were paid a fixed rate by the STATE instead, there would be much less path toward corruption. *A simple fix: The State pays professional guardians and conservators a fixed rate from a fund drawn from all guardianship cases, and linked to health care insurance.*

3) Why are so many people are put into full guardianship and lose all of their rights when they do not need it, and could manage with minor help?

Answer: Because our judges don't follow the law, and Durable Power of Attorney can be stricken, wills stricken, and estate plans ignored for fiduciary profit. But there is a better way. A bill is being designed right now for **Default Supported Decision Making**. Common SDM is used all over the US, but has the same flaw. It works through the courts. This one works through the Health care system (where it belongs) and it is designed to supplement the current EPIC Guardianship & conservatorship laws rather than replace them.

The new Default version allows the person to have help in a way that a guardian *should* help, but it is revocable by the individual, and it retains all of their civil rights without giving them to anybody else, whether professional or family, who would exploit them. There is no waste of estate, need for courts is rare, there is no need for so many guardians and conservators, and no deprivations of rights.

You can't protect a person better by removing their rights. It is antithetical and unamerican.
The Michigan Legislature needs to consider that when it hears the words of the people who want to take away those rights for their own profit.

Sincerely,

Randy Asplund