

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

***** 556.208.new THIS NEW SECTION IS EFFECTIVE JULY 1, 2024 *****

556.208.new Nomination of conservator or guardian; relation of agent to court-appointed fiduciary.

Sec. 108. (1) In a power of attorney, a principal may nominate a conservator or guardian of the principal's estate or guardian of the principal's person for a protective proceeding if a protective proceeding for the principal's estate or person commences after the principal executes the power. If consistent with applicable law on priority and suitability, the court shall make its appointment in accordance with the principal's most recent nomination in a power of attorney.

(2) If, after a principal executes a power of attorney, a court appoints a conservator or guardian of the principal's estate or other fiduciary charged with the management of some or all of the principal's property, both of the following apply:

(a) The agent is accountable to the fiduciary as well as to the principal.

(b) The power of attorney is not terminated, and the agent's authority continues unless limited, suspended, or terminated by the court.

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