



## LEGAL TIPS FOR AREA NEWCOMBERS

### 1. Care and Custody of your Minor Children

- If you go out for the evening and leave your children with a babysitter, make sure you leave the babysitter with emergency contact information as to where your children would go on a short term basis in the event that you are injured or worse.

- If you leave your children with friends or family when you go out of town for business or vacation, consider signing a "Delegation of Parental Power of Attorney" which would legally enable them to make and carry out medical decisions for your children if needed. This would also allow that person to admit your child to a hospital if necessary. It is important that you leave those persons with your medical and health insurance information, including the name and address of your child's pediatrician.

-Regardless of citizenship or work status (work visa or green card), now that you reside in this area, the probate court in the county in which you reside has jurisdiction over the custody of your children in the event of your death. Nomination of who would be your children's legal Guardian in the event of your death can be designated in a Last Will and Testament or in another writing designating such that is witnessed by 2 individuals. It is perfectly acceptable to name your family overseas as Guardians. They would however have to come here to Michigan to establish guardianship here before your children can be permanently relocated out of this area.

### 2. Business and Medical Decision Making

-A Durable Power of Attorney is a document that provides that if during your lifetime, due to unavailability (out of town on business or otherwise) or incapacity, you are unable to handle your own legal, business and financial affairs, you are appointing someone else to handle those affairs for you, most likely your spouse and a back-up if your spouse can't act. This document avoids the necessity of going to probate court to have a conservator appointed for you.

-A Durable Power of Attorney for Health Care is a document that provides that if you are unable to participate in medical decision making on behalf of yourself due to incapacity, you are able to appoint someone else (most likely your spouse with a back-up) to convey to your medical providers your binding medical intent. This document avoids the need to go into probate court to have a Guardian appointed for you.

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