

**MENTAL HEALTH CODE (EXCERPT)**  
**Act 258 of 1974**

**330.1640 Standby guardian.**

Sec. 640. (1) At a hearing convened pursuant to this chapter the court may designate 1 or more standby guardians whose appointment shall become effective without further proceedings immediately upon the death, incapacity, or resignation of the initially appointed guardian. The powers and duties of the standby guardian shall be the same as those of the initially appointed guardian.

(2) The standby guardian shall receive a copy of the court order establishing or modifying the initial guardianship, and the order designating the standby guardian. Upon assuming office, the standby guardian shall notify the court.

(3) In an emergency situation and in the absence and unavailability of the initially appointed guardian, the standby guardian may temporarily assume the powers and duties of the initially appointed guardian.

**History:** 1974, Act 258, Eff. Aug. 6, 1975;—Am. 1978, Act 527, Imd. Eff. Dec. 21, 1978.