

## ♪ My Mother ♪ -- Kathryn George case

SATURDAY, MAY 23, 2009



My mother and father were married for 62 years. Nothing meant more to them than their family. Within one month of his death in late 2007, her health and the assurance of a comfortable lifestyle were at risk. My father's directives for his wife's care didn't match my sister's plans. I asked a Court to examine my mother's circumstances and appoint a Guardian and a Conservator for her.

Michigan laws narrowed the field of appointees to one or both daughters, her legally designated nominees - if they were "willing and able to serve." Both of us were willing. I was the more active medical advocate and the only daughter entrusted with financial authority at the time. It didn't matter which role was assigned to whom, as long as our parents' wishes were honored, with accountability under law.

Macomb County Probate Court

Regarding Petitions to Appoint a Guardian and a Conservator for an Alleged Legally Incapacitated Individual

Allusions to family animosity provide unscrupulous judges and attorneys with excuses to dwell comfortably amid dirt and trash under the snowy landscape of Law. Whether through omission or commission, sins of guardianship are traced to the doors of a derelict Court. Among Michigan's 83 counties, several preserve the archaic practice of appointing attorneys as Guardians; Macomb is one.

♪ *"The hangin' judge came in unnoticed and was being wined and dined . . ."* A 'Godchild' Attorney drafted my mother's legal papers. He is a family relation, my sister's attorney, and I consulted with him and his son (another attorney) as my parents' agent. The Court was required to examine two Power of Attorney documents - the validity of one was a petition subject, and the other included my mother's choices for a Guardian and a Conservator in event of a protective proceeding. The Godchild Attorney initiated false rumors to the Court and warned prospective Hearing

witnesses to stay home and seal their lips about negligent care. He pre-briefed the Guardian Ad Litem #1 (GAL), who filed a biased Report to the Court on all substantial matters, to my denigration. In negligence of duty, the GAL did not confirm the existence of my mothers legal documents. He implied that the Godchild Attorney represented his Godmother's interests, so he did not ask the Court to appoint an attorney for her. He reported that my mother would attend the Hearing; dressed and ready to go, she was denied that right, too. The GAL falsely claimed that my mother shared my sister's views, a historically preposterous contradiction. To conceal discovery of the documents and other legal faux pas, the Godchild Attorney fashioned a contesting case and a conspiratorial relationship with the Court, my sister and the future Guardian-Conservator.

The Chief Court Attorney 'lost' Proofs of Service and Hearing Notices mailed USPS Certified. Ex-Chief Justice Kathryn George permitted the Godchild Attorney's Son to represent my sister without question as to authority. When a witness exposed conflicts of interest due to multi-layered relationships, he perjured himself. Judge George failed to address the allegation concerning the legal documents and my mother's designated nominees. Suppressing the questionable documents provided a convenient opportunity to bypass rules of succession to the roles. She did not address the Petition to Appoint a Guardian. The judge focused attention on the young attorney's attempts to counter allegations by accusing me of having unlawfully taken possession of my mother's funds. That being an improvable falsehood, Judge George availed herself of the exaggerated dualistic positions between daughters and asserted that there was a "schism" regarding financial matters. Considering herself to have duly assessed the need to preserve and protect my mother's estate, she stated her Decision to appoint an Interim Conservator from the Court's rotating stable of attorneys. The Hearing was dismissed.

After the Hearing, the Chief Court Attorney could not explain why Ex-Chief Justice George did not mention an inevitable future Hearing on the interim ('meanwhile' or 'temporary') appointment. He claimed to have no knowledge of the Court's procedures and administrative rules regarding such an Order. He didn't know anything about irregularities such as a judge failing to address a petition on the

Hearing for the purpose, or reporting perjury. The following business day, I called the Court Administrator to obtain the name of the appointed Interim Conservator. I learned that Ex-Chief Justice George changed her Decision after the Hearing and endowed the attorney with another Full-time Guardian and Conservator job. Several days later, I sent a letter to Ms. Chief Justice about the Hearing's deficiencies and legal inconsistencies, after which the Hearing transcript was over-edited to correct every deficiency and legal inconsistency cited in the letter - point • by • point.

♪ *"False-hearted judges dying in the webs that they spin - Only a matter of time 'til night comes steppin' in."* On allegations of conservatorship cronyism, the Michigan Supreme Court ordered an investigation of the Chief Justice's cases to uncover corruption and found what it was looking for. In May 2008, Chief Justice George lost her crowning title and all of her cases were transferred to Judge O'Sullivan, her political rival.

♪ *"The judge, he holds a grudge - he's gonna' call on you. But he's badly built and he walks on stilts - make sure he doesn't fall on you."* Vowing to monitor the Court's shenanigans, the Supreme Court told the Court Administrator to "Leave" for a while and sent a judicial diplomat in his place to put the Court back in order.

The Attorney Guardian-Conservator (G-C) confirmed an alliance with the Court, the Godchild Attorney and my sister.

Under his Guardianship: My mother's medical appointments were cancelled; medications were altered or eliminated. She broke her wrist but did not receive medical treatment, resulting in loss of function and a permanent 'forked hand' deformity. She suffered from undiagnosed illnesses and "bleeding", untreated infections, concussions, facial lacerations, a reported broken arm, unexplained bruises and abrupt, acute vision loss unrelated to the fact that her prescription glasses were taken away upon assertion that she could no longer read. Her handicapped permit was "lost". Two Adult Protective Services claims were investigated. The Guardian failed to return calls concerning her urgent health matters, medical advocacy, care and living arrangements. The Chief Court Attorney

routinely returned my letters requesting emergency Court response because “the judicial Code prohibits ex-parte communications in a pending matter” - even though communication was not ex parte and no matter was pending before the Court. (The Court Administrator later accepted all the correspondence.) To date, the Guardian has refused to discuss all guardianship matters with me.

**“I’m all alone. Nobody can find me here.”**

**My Mother**

**June 27, 2008**

On May 14, 2008, within one week of assuming control of my mother’s cash accounts, the G-C moved her from her home of 44 years to a remote ‘granny dump’- 15 minutes from my sister and a day’s drive from me. He did not inform the Court or me in defiance of stringent reporting requirements. She was dropped off with two garbage bags of clothes in the night at Belle River Pines - a Large Group Adult Foster Care home in Memphis, Michigan. On the same day, the G-C wrote a letter to the administrator of the facility prohibiting “all contact” between my mother and me, my husband, my son and anyone who shared our surname. A similar May 15 letter followed. A so-called ‘restricted list’ identified other individuals who were not allowed to speak with Mom. Her physician on Court record advised the Guardian to move his patient near me for the sake of her health; he ignored the recommendation. I discovered where my mother was by May 23 but could not speak with or visit her under threat of police action. Upon a family friend’s unrelenting insistence, the G-C permitted my mother to call me on my birthday, June 27; she cried for 17 minutes. For more than two months, the G-C threatened, intimidated, lied and deceived his way through inquiries about his abusive actions from family, friends, neighbors, attorneys, State agencies, a police detective and others. Challenged by a social worker with my mother’s witnessed statement of desire to contact me, the Guardian authorized scheduled, supervised visits of limited duration - if I would not “kidnap” my mother. According to staff, one person visited her “a couple” or “a few” times during the period of restrictions. My husband and I visited on six occasions in July. For the first time in months, my mother dined in restaurants, visited friends and laughed. By July’s end, she was distressed and angry over her imposed asylum. In response,

she was sedated into lethargy, compromising safe mobility. Over the next few months, she incurred a series of injuries and illnesses. A December 2008 DHHS investigation yielded more defensive posturing from the Guardian. Despite confirmation of negligent injuries due to staff's inability to provide necessary care, he claimed that my mother was "fine" and refused to move her to another residence to insure her safety. Within months, her health declined - radically. It is rumored that she receives Hospice care. Visits from nearby relations are negligible. Mine are limited in frequency and duration due to the G-C's interference.

"Dear . . . you have inquired about my deceased grandfather's ring that I have . . . It is a sentimental keepsake . . . He wore it every day that I knew him, for 26 years of my life. I understand that, for some reason, you are particularly interested in me returning the ring to you. There is absolutely no reason why I would return . . . the only real object of sentimental value that I own. I suggest that you take a much closer look at the veritable hoard of my grandparent's' possessions currently held by . . . took from them without any requests for permission . . . More importantly, these are possessions that still belong to my living grandmother."

Grandson

May 16, 2008

Under his Conservatorship: The Conservator has Letters of Authority, but a revoked Power of Attorney claimed title to cars, prevented installation of grave memorials that my mother ordered and controlled pre-distribution of her property against the terms of her Will. I demanded explanations for missing property, apparent vandalism, failure to authorize appropriate medical care and other issues, and the G-C locked me out of my mother's house. Someone else lived there rent-free, for months. My sister has possession of all valuable collections, expensive furnishings and personal property, in general. The G-C said that I could purchase something. The Conservator scheduled an "estate sale" but switched the dates, so I could not attend.

'Neighborhood Watch' said that five vans and several cars filled with furnishings, driven by relatives, departed at the start of the sale. My mother's former housekeeper made a public exclamation about the "despicable" sale of her property "while she is still alive!" Another neighbor was threatened under phony court order

to leave the premises, and the G-C later threatened to sue her for stealing my mother's patio furniture. Someone sold my personal possessions, too - bike, vintage furniture, sentimental gifts, leather chair, clothes, etc. My mother's house has deteriorated due to lack of maintenance. Instead of paying \$24/week to the neighbor's lawn service, he pays a special party \$45/week. Due to lagging economy, the Conservator says that it is not timely to sell my mother's house to enhance her care options. The house is rental property now; the G-C claimed that he left rare furniture in it - for the renters. The list goes on.

The Conservator's Inventory of the estate was due within 56 days of his appointment. Seven months beyond Notice on Deficiency, two months beyond a scheduled Show Cause event, he filed the Inventory nine months after legal deadline. He declared one personal asset in the Inventory - a car valued at \$1,220 - omitting bank accounts, life insurance annuity, valuable collections, and everything else required to list. He swore that my mother's entire estate consisted of an old (devalued) car. Macomb County Probate Court accepted the fraudulent Inventory. Apparently, my mother now receives Medicaid assistance.

#### Regarding Petitions to Revoke/Modify the Guardianship and Conservatorship

Guardian Ad Litem #2 returned another bogus report to the Court replete with claims of my dastardly actions: I had sprayed my mother's new hairdo with water, washed off her makeup and made her cry, etc. - and had kidnapped her, literally. Reaction to this gossipy Report was topped only by the judge's acceptance of it as valid. Like the time before, the Court Clerk claimed that Proofs of Service for the Hearing mailed USPS Certified and signed by Court staff did not reach the Court. Justice Pamela Gilbert O'Sullivan claimed not to have read Court correspondence regarding my mother's problems since Judge George appointed the G-C. As to why not, she replied, "I'm not Judge George!" Subpoenaed medical records were suppressed, and a Registered Guardian and my mother's ex-employees received threatening calls from the G-C and the Godchild Attorney. Concerning the G-C's and the Court's failure to observe laws governing moving his ward from her home and reporting an Inventory, this judge stated on the record, "We don't do that here," and "We don't follow those

laws, either.” She stated that she based her Decision to retain the Guardian-Conservator upon GAL #2’s “Recommendation” - expressed in the following idiopathic form of logic:

1. The GAL stated, “I am certain that she did not understand much of what we talked about.”

2. The GAL stated, “She had no opinion regarding the conservatorship and guardianship when I asked her.”

3. The GAL stated, “She lacks sufficient understanding or capacity to make or communicate informed decisions.”

The GAL concluded, “She is completely satisfied with [the attorney] as her Guardian and Conservator.”

♪ *“These be seven curses on a judge so cruel:*

*That one doctor will not save him,  
that two healers will not heal him,  
that three eyes will not see him.*

*That four ears will not hear him,  
that five walls will not hide him,  
that six diggers will not bury him  
and that seven deaths shall never kill him.”*

Attempting to sever a mother-daughter relationship is a depraved action. Swearing that my mother is nearly penniless is vile, if for no other reason than that assisted/skilled care facilities are not obligated to accept new patients who receive Medicaid. Her care is substandard now; her estate has been wasted. Nearly every action by this Court and its Appointee defies Michigan’s goals of Guardianship and Conservatorship, and the Codes, Statutes and Court Rules intended to enforce them.

