



City of Detroit

COUNCILMAN SCOTT R. BENSON

MEMORANDUM

TO: Conrad Mallett, Corporation Counsel, Law Department
FROM: Hon. Scott Benson, City Council District 3

CC: Hon. Fred Durhal III, Chair, Budget Finance & Audit Standing Committee
Jay Rising, Chief Financial Officer
Hon. Janice Winfrey, City Clerk
Malik Washington, Mayor's Liaison

VIA: Hon. Council President Mary Sheffield

DATE: 19 February 2025

**RE: REQUEST FOR LEGAL OPINION ON GENERAL FUND USE
FOR WILLS & ESTATE PLANNING SERVICES**

I am requesting a legal opinion on whether the City of Detroit can allocate general fund dollars to support wills and estate planning services, commonly referred to as the Asset Protection Program. These services are critical to preserving generational wealth, stabilizing homeownership, and preventing foreclosure.

1. Can general fund dollars be legally used to fund wills, estate planning, and tangled title resolution services for residents?
2. Are there any legal constraints or restrictions that would limit or prohibit such use of general funds?
3. If such funding is legally permissible, do these services need to be structured in a specific way to align with allowable uses of the general fund?
4. Given the growing demand for estate planning services across Detroit, I would appreciate a timely response on this matter.

If you have any questions, do not hesitate to contact my office at 313-224-1198.

SRB