

**UNSUPERVISED PROBATE PACKET
FORMAL**

Forms Included in this packet:

Necessary for initial filing – Filing fee is \$150.00 due at time of filing, if certified copies are required there is an \$11.00 charge per certification/copy.

- Information/Instructions on filing for formal probate
- Petition for Probate (and determination of heirs) along with necessary documents* (PC559)
*you must file the original will with the Court if one exists and codicil(s)
*you must file a copy of a death certificate
- Testimony of Interested Parties (PC565)
- Supplemental Testimony (PC566)
- Notice of Hearing (PC 562)
- Proof of Service (PC 564)
- Order of Formal Proceedings (PC 569)
- Acceptance of Appointment (PC571)
- Letters of Authority for Personal Representative (PC572)

Forms needed for future filing

- Notice of Appointment (PC 573)
- Notice to Creditors (PC 574)
- Notice to Known Creditors (PC 578)
- Inventory (PC 577)
- Proof of Service (PC 564)
- Sworn Statement to Close (PC 591)
- Certificate of Completion (PC 592)
- Order for Complete Estate Settlement (PC 595)
- Notice of Continued Administration (PC 587) - this form will be required annually if the estate is not settled.

COURT STAFF IS PROHIBITED BY LAW FROM GIVING LEGAL ADVICE, IF YOU HAVE ANY LEGAL QUESTIONS DURING THIS PROCESS PLEASE CONTACT AN ATTORNEY.

Ottawa County Probate Court
12120 Fillmore Street
West Olive MI 49460

Hours: Mon-Fri 8:00 AM- 5:00 PM
Phone: 616-786-4110
Website: www.miottawa.org

Formal Proceedings

From Beginning to Order of Formal Proceedings

Formal Proceedings

Formal proceedings are commenced by filing a petition with the court requesting a court order. The initial petition may ask for the admission of a will to probate or the appointment of a personal representative or both. The initial petition may also request that there be supervised administration. Formal proceedings are defined in EPIC to mean proceedings conducted before a judge with notice to interested persons. Formal proceedings may also be used at any time during the estate administration to decide issues regarding the estate by court order. Even if the estate was commenced by informal proceedings, a formal proceeding can be filed requesting formal testacy or formal appointment or both. This note will deal with formal proceedings used to begin an estate.

Only an "interested person" may file a petition for formal probate or appointment or both. Interested person is defined very broadly by MCL 700.1105(a):

"interested person" includes, but is not limited to, an heir, devisee, child, spouse, creditor, and beneficiary and any other person that has a property right in or claim against a trust estate or the estate of a decedent, ward, or protected individual; a person that has priority for appointment as personal representative; and a fiduciary representing an interested person.

There are two important terms that should probably be briefly defined now. Devisee is a person designated to receive property in a will. Heir is a person who is entitled under the statute of intestate succession to a decedent's property.

The forms and documents which must be filed with or presented to the court to commence formal proceedings are:

- Petition for Probate and/or Appointment of Personal Representative (Testate/Intestate) ([PC 559](#)) and the filing fee of \$150. The Petition should be completely and carefully filled out.
- Copy of death certificate.
- Will and codicil, if any.
- Testimony Interested Persons ([PC 565](#)).
- Supplemental Testimony Interested Persons Testate Estate ([PC 566](#)). This form is only filed if decedent left a will and some of the devisees named in the will and codicils are not heirs of the testator.
- Order of Formal Proceedings ([PC 569](#)).
- Acceptance of Appointment ([PC 571](#)). A bond is not required unless the will requires a bond or bond is demanded under MCL 700.3605 (by person having an interest in the estate worth in excess of \$2,500 or a creditor having a claim against the estate in excess of \$2,500).
- Letters of Authority for Personal Representative ([PC 572](#)).

Persons who are not disqualified have priority for appointment in the following order pursuant to MCL 700.3203(1):

- The person with priority as determined by a probated will include a person nominated by a power conferred in a will.
- The surviving spouse if the spouse is a devisee under the will.
- Other devisees.
- The surviving spouse.
- Other heirs.
- After 42 days after the decedent's death, the nominee of a creditor if the court determines the nominee suitable.
- State or county public administrator.

A person with priority under 2 through 5 above may nominate a qualified person to serve as personal representative and that nominee has the priority of the nominator pursuant to MCL 700.3203(3).

Once a petition is filed the court will set a date and time for hearing. The petitioner must serve copies of the petition, will, testimony form (s) and Notice of Hearing ([PC 562](#)) on the interested persons. See MCR 5.102 and MCR 5.107(A). Personal service must be made at least 7 days before the hearing and service by mail must be made at least 14 days before the hearing. A Proof of Service ([PC 564](#)) must be filed with the court pursuant to MCR 5.104(B).

Michigan Court Rule (MCR) 5.125(C)(1) provides that the persons interested in any application for probate of a will are:

- The devisees;
- The nominated trustee and the current trust beneficiaries of a testamentary trust (trust created by will);
- The heirs;
- The nominated personal representative; and
- The trustee of a revocable trust described in MCL 700.7501(1) (this is a trust over which the decedent had a right at his or her death, either alone or with someone else, to revoke the trust and reinvest principal in himself or herself).

MCR 5.125(C)(2) provides that the persons interested in an application for appointment of a personal representative of an intestate estate are:

- The heirs;
- The nominated personal representative; and
- The trustee of a revocable trust described in MCL 700.7501(1).

There are additional persons that may have to be served depending on the circumstances of a specific proceeding. These are designated as special persons and are defined in part in MCR 5.125(A). They include the following:

- When the decedent is not survived by any known heirs, the Michigan Attorney General.

- When the heirs or devisees are residents of a foreign country, foreign consul for that country.
- If a charitable trust is established in the will or if there is a gift to charity of the residue of the estate except for a church, governmental subdivision or United Way type charity, the Michigan Attorney General, Charitable Trust Division.
- A guardian, conservator, or guardian ad litem of a person must be served with notice of proceedings as to which the represented person is an interested person.
- An attorney who has filed an appearance must be served notice of proceedings concerning which the attorney's client is an interested person.
- A special fiduciary appointed under MCL 700.1309.
- A person who filed a demand for notice under MCL 700.3205 if the demand has not been withdrawn or terminated by court order.

Service of persons who are under legal disability or otherwise represented is accomplished by serving the notice of hearing on others pursuant to MCR 105(D) as follows:

- The guardian of an adult or guardian ad litem of a minor or other legally disabled person.
- The trustee of a trust with respect to a beneficiary of the trust.
- The guardian ad litem of any unascertained or unborn person.
- A parent of a minor with whom the minor resides, provided the interest of the parent in the outcome of the hearing is not in conflict with the interest of the minor and provided the parent has filed an appearance on behalf of the minor.
- The attorney for an interested person who has filed a written appearance in the proceeding.
- The agent of an interested person under an unrevoked power of attorney filed with the court.

Sometimes the name of an interested person is known but the address for that interested person is unknown. The petitioner may serve that interested person by publication. The person who orders the publication must cause to be filed with the court a copy of the publication notice and the publisher's affidavit that it was published in a qualified newspaper and the date that the notice was published. To serve an interested person notice of hearing by Publication of Notice ([PC 563](#)) the following must be done:

- Petitioner must include the name of the person to whom the notice is given and a statement that the result of the hearing may be to bar or affect that person's interest.
- A copy of the notice must be mailed to an interested person at his or her last known address unless an address cannot be ascertained by diligent inquiry.
- Petitioner must file an affidavit or declaration under penalty of contempt showing that the address or whereabouts of the person can not be ascertained by diligent inquiry.
- Petitioner must publish one time at least 14 days before the hearing.
- The publication notice may include the publication for claims.
- Pursuant to MCR 5.105(A)(3) after an interested person has once been served by publication, notice is only required on an interested person whose address is known or becomes known during the proceedings.

If all interested persons consent, the Order of Formal Proceedings may be entered immediately without a hearing pursuant to MCR 5.104(B). If a petition is unopposed, after the time expires for any required notice and after proof of service is filed, the court may either grant a hearing or grant the petition based on the recitations in the petition. However, an order determining heirs may only be entered based on sworn testimony or a sworn testimony form. See MCR 5.104(C). If any matters are contested, a hearing will be held and the Order of Formal Proceedings will be issued based upon the results of the hearing. The Order of Formal Proceedings may admit a will or codicil(s), determine intestacy, determine heirs, appoint a personal representative, or determine if the estate administration shall be supervised.

STATE OF MICHIGAN PROBATE COURT COUNTY OF	PETITION FOR PROBATE AND/OR APPOINTMENT OF PERSONAL REPRESENTATIVE <input type="checkbox"/> TESTATE <input type="checkbox"/> INTESTATE	FILE NO.
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Estate of _____

1. I, _____, am interested in the estate and make this petition as
Name of petitioner

_____, as defined by MCL 700.1105(c).
Relationship to decedent, i.e., heir, devisee, child, spouse, creditor, beneficiary, etc.

2. Decedent information: _____ _____ _____ **XXX-XX-** _____
Date of death Time (if known) Date of birth Last four digits of SSN

Domicile (at date of death): _____ _____ _____
City/Township/Village County State

Estimated value of estate assets: Real estate: \$ _____ Personal estate: \$ _____

3. A death certificate has been issued, and a copy is attached.
 No death certificate is available. Attached is alternative documentation of the decedent's death.
4. As far as I know or could ascertain with reasonable diligence, the names and addresses of the heirs and devisees of the decedent and other interested persons, the relationship to the decedent, and the ages of any who are minors are:
(Required testimony forms are attached.)

NAME	ADDRESS	RELATIONSHIP <small>(Heir / Devisee)</small>	AGE/DOB <small>(if minor)</small>

Of the interested persons listed above, the following are under legal disability or otherwise represented and presently have or will require representation:

NAME	LEGAL DISABILITY	REPRESENTED BY <small>Name, address, and capacity</small>

5. a. Venue is proper in this county because the decedent was domiciled in this county on the date of death.
 b. The decedent was not domiciled in Michigan, but venue is proper in this county because property of the decedent was located in this county at the date of death.
6. An application was previously filed and a personal representative was appointed informally.

(SEE SECOND PAGE)

Do not write below this line - For court use only

7. A personal representative has been previously appointed in _____ County, _____ State and the appointment has not been terminated. The personal representative's name and address are

Name _____ Address _____
City _____ State _____ Zip _____

8. a. The decedent's will, dated _____, with codicil(s) dated _____ is/are offered for probate and is/are attached to this petition. already in the court's possession.
 b. An authenticated copy of the will and codicil(s), if any, probated in _____ County, _____ State is/are offered for probate, and documents establishing its probate accompany this petition.
 c. Neither the original will nor an authenticated copy of a will probated in another jurisdiction accompanies the petition. The will is lost, destroyed, or otherwise unavailable, but its contents are (Attach additional sheets as necessary.) _____

9. The decedent's will was formally informally probated on _____ in _____ County.

10. To the best of my knowledge, I believe that the instrument(s) subject to this petition, if any, was/were validly executed and is the decedent's last will. After exercising reasonable diligence, I am unaware of an instrument revoking the will or codicil(s).

- a. After exercising reasonable diligence, I am unaware of any unrevoked testamentary instrument relating to property located in this state as defined under MCL 700.1301.
 b. I am aware of an unrevoked testamentary instrument relating to property located in this state as defined under MCL 700.1301, but the instrument is not being probated because _____

The instrument is attached to this petition. is already in the court's possession.

11. I nominate _____ as personal representative, who is qualified and has the following priority for appointment: _____. His/her address is _____

Name _____ Address _____
City _____ State _____ Zip _____

12. Other persons have prior or equal right to appointment. They are:

Name _____ Name _____
Name _____ Name _____

13. The will expressly requests that the personal representative serve with bond.

14. a. The decedent left a will that directs supervised administration.
 b. The decedent left a will that directs unsupervised administration, but supervised administration is necessary for the protection of persons interested in the estate because (Complete on line below.)
 c. The decedent died intestate or left a will that does not direct supervised administration, but supervised administration is necessary because (Complete on line below.) _____

15. A special personal representative is necessary because _____

IREQUEST:

16. An order determining heirs and that the decedent died intestate. testate and the document(s) stated in item 8 is/are valid and admitted to probate.
 17. Formal appointment of the nominated personal representative with without bond.
 18. Supervised administration.
 19. Appointment of a special personal representative pending the appointment of the nominated personal representative.

I declare under the penalties of perjury that this petition has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date

Attorney signature

Petitioner signature

Attorney name (type or print) Bar no.

Petitioner name (type or print)

Address

Address

City, state, zip Telephone no.

City, state, zip Telephone no.

STATE OF MICHIGAN PROBATE COURT COUNTY OF	TESTIMONY TO IDENTIFY HEIRS	FILE NO.
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Estate of _____

1. My name is _____ . My address is _____
_____ .

2. I am related to the decedent (or know his/her family) as follows: _____

3. The date and time of the death of the decedent is _____ Date _____ Time _____ and at that time the decedent's domicile (residence) was _____ Address _____ .

NOTE: IN THE FOLLOWING QUESTIONS, TREAT ALL PERSONS WHO DIED WITHIN 120 HOURS AFTER THE DECEDENT AS IF THEY DID NOT SURVIVE THE DECEDENT. List persons who died within 120 hours after the decedent in item 14 below.

4. The decedent did not leave a surviving spouse. left a surviving spouse named _____ .

5. a. The decedent had the following children, both natural (born in or out of wedlock) and adopted:

b. Of the children listed in 5.a, the following are no longer heirs due to their adoption by someone other than a stepparent:

c. Of the children listed in 5.a, the following were not children of the surviving spouse: _____

Answer question 6 only if question 5.a. was checked.

6. a. The following children listed in 5.a. died before the decedent: _____

b. Children listed in 6.a. left their own children (either natural or adopted) or left grandchildren from one or more of their own predeceased children who survived the decedent. The names of these descendants and the name of the child in 6.a. to whom they are related are as follows:

c. Of the persons listed in 6.b, the following are no longer heirs due to their adoption by someone other than a stepparent:

If decedent left no surviving descendant, complete 7.

7. The decedent did not leave a surviving father and/or mother. left a surviving father and/or mother named _____ .

(SEE SECOND PAGE)

Do not write below this line - For court use only

If decedent is not survived by spouse, descendants, or parents, complete 8 (and 9, if applicable).

8. The decedent did not leave surviving brothers or sisters. left the the following brothers or sisters, either natural or adopted, whole blood or half blood, who were not adopted by others and who survived the decedent:

9. One or more of the brothers and sisters of the decedent died before him/her leaving descendants, either natural or adopted, who were not adopted by others and who survived the decedent. The names of these descendants, and the name(s) of their deceased ancestor are

If decedent was not survived by spouse, descendants, parent, brother, or sister or children of deceased brother or sister, complete 10 (and 11, if applicable).

10. The decedent did not leave surviving grandparents. left surviving grandparents (both maternal and paternal) named

11. Both maternal grandparents and/or both paternal grandparents died before decedent. Their surviving descendants and their relationships to the grandparents are

Maternal grandparents: _____

Paternal grandparents: _____

12. The following heirs listed above are under legal disability. Their name(s), legal disability, and name(s) of their representative(s) are _____

13. The following deceased heirs survived the decedent by more than 120 hours. Their name(s) and the name(s) of those who represent decedent's interests are _____

14. The following persons identified above did not survive the decedent by 120 hours. Their names, relationships to decedent, and the date and time of their deaths are:

NAME	RELATION	DATE OF DEATH	TIME OF DEATH

15. The decedent left a will. All devisees are heirs. Some of the devisees named in the will or codicil are not heirs of the testator. (A supplemental testimony form is completed and attached.)

Witness signature

Subscribed and sworn to before me on _____, _____ County, Michigan.
Date

My commission expires: _____ Date Signature: _____
Judge/Deputy register/Notary public Bar no.

Notary public, State of Michigan, County of _____

Attorney signature

Address

Name (type or print)

Bar no.

City, state, zip

Telephone no.

STATE OF MICHIGAN PROBATE COURT COUNTY OF	SUPPLEMENTAL TESTIMONY TO IDENTIFY NONHEIR DEVISEES Testate Estate	FILE NO.
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Estate of _____

*****USE THIS FORM ONLY IF A DEVISEE NAMED IN THE WILL OR CODICIL IS NOT AN HEIR OF THE TESTATOR*****

NOTE: TREAT ALL PERSONS WHO DIED WITHIN 120 HOURS AFTER THE DECEDENT AS IF THEY DID NOT SURVIVE THE DECEDENT. List persons who died within 120 hours after the decedent in item 18 below.

16. The names of all devisees named in the will and codicils who are not heirs of the decedent (include testamentary trustees and beneficiaries of testamentary trusts) are _____

17. Of the devisees listed in 16, the following died before the decedent. Their names and relationships to the decedent are _____

18. The following devisees died within 120 hours after the decedent. Their names, relationships to decedent, and the date and time of their deaths are:

NAME	RELATIONSHIP	DATE OF DEATH	TIME OF DEATH

19. The following are descendants of the predeceased devisees named above, who survived the decedent:

20. Class gifts in the will or codicils, where the members are not specifically identified by name, are as follows:

(SEE SECOND PAGE)

Do not write below this line - For court use only

21. The following devisees named above are under legal disability. Their names, legal disabilities, and names of their representative(s) are

22. The following deceased devisees survived the decedent by more than 120 hours. Their names and the names of those who represent their interests are

23. The guardian ad litem for each devisee under the will and codicils who is unborn, unknown, or unascertainable is

Witness signature

Subscribed and sworn to before me on _____, _____ County, Michigan.
Date

My commission expires: _____ Signature: _____
Date Judge/Deputy register/Notary public

Notary public, State of Michigan, County of _____

Attorney signature

Name (type or print) Bar no.

Address

City, state, zip Telephone no.

STATE OF MICHIGAN PROBATE COURT COUNTY OF	NOTICE OF HEARING	FILE NO.
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In the matter of _____

TAKE NOTICE: A hearing will be held on _____ at _____ ,
Date Time

at _____ before Judge _____
Location Bar no.

for the following purpose(s): (state the nature of the hearing)

If you require special accommodations to use the court because of a disability, or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

_____	_____	Date
Attorney name	Bar no.	Petitioner name
_____	_____	Address
Address	_____	City, state, zip
City, state, zip	Telephone no.	City, state, zip
		Telephone no.

USE NOTE TO COURT: If this hearing is for a guardianship matter involving an Indian child as defined in MCR 3.002(5), you must comply with MCR 5.109(2).

USE NOTE: If this form is being filed in the circuit court family division, please enter the court name and county in the upper left-hand corner of the form.

Do not write below this line - For court use only

STATE OF MICHIGAN PROBATE COURT COUNTY OF	PROOF OF SERVICE	FILE NO.
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In the matter of _____

1. Titles of the papers served or mailed: _____

2. According to court rule, I served by first-class mail registered mail (copy of return receipt attached)
 certified mail (copy of return receipt attached) the papers described above on:

Name	Complete address of service	Date

3. According to court rule, I served by **personal service** the papers described above on:

Name	Complete address of service	Date and Time

4. After diligent search and inquiry, I have been unable to find and serve the following interested persons. I have served these persons by publication. Attached are copies of form PC 617.

I declare under the penalties of perjury that this proof of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee	Miles traveled	Fee	
\$		\$	
Incorrect address fee	Miles traveled	Fee	TOTAL FEE
\$		\$	\$

Date

Signature

Name (type or print)

USE NOTE: If this form is being filed in the circuit court family division, please enter the court name and county in the upper left-hand corner of the form.

Do not write below this line - For court use only

STATE OF MICHIGAN PROBATE COURT COUNTY OF _____	ORDER OF FORMAL PROCEEDINGS	FILE NO.
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Estate of _____

1. Date of hearing: _____ Judge: _____

Bar no.

THE COURT FINDS:

2. Notice of hearing was given to or waived by all interested persons.

3. Decedent died _____
Date

- a resident of the above named county.
- a nonresident of Michigan, but left an estate in the above named county.

4. Venue is proper.

5. Decedent's heirs are determined (specify names and relationships): _____

6. Decedent died

- intestate.
- with a valid, unrevoked will dated _____ with codicil(s) dated _____.

7. _____ is suitable for appointment pursuant to MCL 700.3203 and 700.3204.
Name

8. The decedent's will directs supervised administration. Since the execution of the will, the circumstances bearing on the need for supervised administration have have not changed.

- The decedent's will directs unsupervised administration.
- Supervised administration is is not necessary for the protection of persons interested in the estate.

IT IS ORDERED:

9. The petition is granted. denied on the merits. dismissed/withdrawn.

10. The decedent died intestate.

11. The will and codicil(s) are valid and admitted to probate.

12. Estate administration shall be supervised.

13. _____ is appointed personal representative special personal representative of the decedent's estate and upon filing a statement of acceptance, letters shall issue to that personal representative without bond. upon filing a bond in the amount of \$ _____.

After qualification, the personal representative shall comply with all relevant requirements under the law.

14. The petition for supervised administration is denied.

15. Decedent's heirs are as determined in 5. above.

16. Other:

Date

Judge

Attorney name Bar no.

Address

City, state, zip Telephone no.

Do not write below this line - For court use only

STATE OF MICHIGAN
PROBATE COURT
COUNTY OF

ACCEPTANCE OF APPOINTMENT

FILE NO.

In the matter of _____

1. I have been appointed _____ of the person/estate.
Type of fiduciary

2. I accept the appointment, submit to personal jurisdiction of the court, and agree to file reports and to perform all required duties.

3. For a period of _____ days from the date of my appointment, I exclude from the scope of my responsibility the
not to exceed 91 days

following real estate or ownership interest in a business entity: _____
Describe real property or business interest

because I reasonably believe the real estate or other property owned by the business entity is or may be contaminated by a hazardous substance, or is or has been used in an activity directly or indirectly involving a hazardous substance that could result in liability to the estate or otherwise impair the value of property held by the estate.

Date

Signature

Attorney name (type or print) Bar no.

Name (type or print)

Attorney address

Address

City, state, zip Telephone no.

City, state, zip Telephone no.

Date of birth

USE NOTE: If this form is being filed in the circuit court family division, please enter the court name and county in the upper left-hand corner of the form.

Do not write below this line - For court use only

STATE OF MICHIGAN PROBATE COURT COUNTY OF	LETTERS OF AUTHORITY FOR PERSONAL REPRESENTATIVE	FILE NO.
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Estate of _____

TO:

Name and address	Telephone no.
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You have been appointed and qualified as personal representative of the estate on _____ . You are authorized to perform all acts authorized by law unless exceptions are specified below. Date

- Your authority is limited in the following way:
 - You have no authority over the estate's real estate or ownership interests in a business entity that you identified on your acceptance of appointment.
 - Other restrictions or limitations are:

These letters expire: _____ .
Date

Date Judge (formal proceedings)/Register (informal proceedings) Bar no.

SEE NOTICE OF DUTIES ON SECOND PAGE

Attorney name (type or print) Bar no.

Address

City, state, zip Telephone no.

I certify that I have compared this copy with the original on file and that it is a correct copy of the original, and on this date, these letters are in full force and effect.

Date Deputy register

Do not write below this line - For court use only

The following provisions are mandatory reporting duties specified in Michigan law and Michigan court rules and are not the only duties required of you. See MCL 700.3701 through MCL 700.3722 for other duties. Your failure to comply may result in the court suspending your powers and appointing a special fiduciary in your place. It may also result in your removal as fiduciary.

CONTINUED ADMINISTRATION: If the estate is not settled within 1 year after the first personal representative's appointment, you must file with the court and send to each interested person a notice that the estate remains under administration, specifying the reasons for the continued administration. You must give this notice within 28 days of the first anniversary of the first personal representative's appointment and all subsequent anniversaries during which the administration remains uncompleted. If such a notice is not received, an interested person may petition the court for a hearing on the necessity for continued administration or for closure of the estate. [MCL 700.3703(4), MCL 700.3951(3), MCR 5.144, MCR 5.307, MCR 5.310]

DUTY TO COMPLETE ADMINISTRATION OF ESTATE: You must complete the administration of the estate and file appropriate closing papers with the court. Failure to do so may result in personal assessment of costs. [MCR 5.310]

CHANGE OF ADDRESS: You are required to inform the court and all interested persons of any change in your address within 7 days of the change.

Additional Duties for Supervised Administration

If this is a supervised administration, in addition to the above reporting duties, you are also required to prepare and file with this court the following written reports or information.

INVENTORY: You are required to file with the probate court an inventory of the assets of the estate within 91 days of the date your letters of authority are issued or as ordered by the court. You must send a copy of the inventory to all presumptive distributees and all other interested persons who request it. The inventory must list in reasonable detail all the property owned by the decedent at the time of death. Each listed item must indicate the fair market value at the time of the decedent's death and the type and amount of any encumbrance. If the value of any item has been obtained through an appraiser, the inventory should include the appraiser's name and address with the item or items appraised by that appraiser. You must also provide the name and address of each financial institution listed on your inventory at the time the inventory is presented to the court. The address for a financial institution shall be either that of the institution's main headquarters or the branch used most frequently by the personal representative. [MCL 700.3706, MCR 5.307, MCR 5.310(E)]

ACCOUNTS: You are required to file with this court once a year, either on the anniversary date that your letters of authority were issued or on another date you choose (you must notify the court of this date) or more often if the court directs, a complete itemized accounting of your administration of the estate. This itemized accounting must show in detail all income and disbursements and the remaining property, together with the form of the property. Subsequent annual and final accountings must be filed within 56 days following the close of the accounting period. When the estate is ready for closing, you are also required to file a final account with a description of property remaining in the estate. All accounts must be served on the required persons at the same time they are filed with the court, along with proof of service.

ESTATE (OR INHERITANCE) TAX INFORMATION: You are required to submit to the court proof that no estate (or inheritance) taxes are due or that the estate (or inheritance) taxes have been paid. **Note:** The estate may be subject to inheritance tax.

Additional Duties for Unsupervised Administration

If this is an unsupervised administration, in addition to the above reporting duties, you are also required to prepare and provide to all interested persons the following written reports or information.

INVENTORY: You are required to prepare an inventory of the assets of the estate within 91 days from the date your letters of authority are issued and to send a copy of the inventory to all presumptive distributees and all other interested persons who request it. You are also required within 91 days from the date your letters of authority are issued, to submit to the court the information necessary to calculate the probate inventory fee that you must pay to the probate court. You may use the original inventory for this purpose. [MCL 700.3706, MCR 5.307]

ESTATE (OR INHERITANCE) TAX INFORMATION: You may be required to submit to the court proof that no estate (or inheritance) taxes are due or that the estate (or inheritance) taxes have been paid. **Note:** The estate may be subject to inheritance tax.

STATE OF MICHIGAN
PROBATE COURT
COUNTY OF

NOTICE OF APPOINTMENT AND
DUTIES OF PERSONAL REPRESENTATIVE

FILE NO.

Estate of _____

TO ALL INTERESTED PERSONS:

1. On _____ I was appointed personal representative as requested in the application or petition for probate of
Date this estate (copy attached unless previously sent). I am serving without bond. with bond in the amount of \$ _____ .

The papers related to the estate are on file with the _____ County Probate Court located at
_____. This is is not a supervised administration.
Address

- 2. Attached is a copy of the will of the decedent which was was not admitted to probate and under which I will administer, manage, and distribute the estate.
- 3. The court does not supervise the personal representative in the administration of an estate except in limited circumstances.
- 4. If I was appointed informally, you or another interested person may petition the court objecting to my appointment and/or demanding that I post a bond or an additional bond. The petition must be filed with the probate court along with the applicable fee. Unless the court grants the petition, I will continue to serve as appointed.
- 5. You or another interested person may petition for a hearing by the court on any matter at any time during the administration of the estate, including for distribution of assets and allowance of expenses of administration. The petition must be filed with the probate court along with the applicable fee.
- 6. If you continue to be an interested person (such as an heir of an intestate estate or devisee or beneficiary under the will of the decedent), I will provide you with: 1) a copy of the inventory within 91 days of my appointment; 2) unless waived by you, a copy of an account including fiduciary fees and attorney fees charged to the estate, within 1 year of my appointment; and 3) a copy of the closing statement or settlement petition when the estate is ready for closing.
- 7. To avoid penalties, I must have paid any federal estate and Michigan estate taxes within 9 months after the date of the decedent's death or another time period specified by law.
- 8. The estate may not be closed earlier than 5 months after the date of my appointment except in limited circumstances. If the estate is not settled within 1 year after my appointment, within 28 days after the anniversary of the appointment, I must file with the court and send to each interested person a notice that the estate remains under administration and the reason for the continuation of the estate. If you do not receive such a notice, you may petition the court for a hearing on the necessity for continued administration or for closure of the estate.

Date of notice

Attorney name Bar no.

Name

Address

Address

City, state, zip Telephone no.

City, state, zip Telephone no.

ATTENTION: The above duties are not the only duties required of the personal representative. This notice of appointment must be served on all interested persons within 14 days after the appointment of the personal representative.

Do not write below this line - For court use only

STATE OF MICHIGAN PROBATE COURT COUNTY OF	NOTICE TO CREDITORS Decedent's Estate	FILE NO.
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Estate of _____ Date of birth: _____

TO ALL CREDITORS: *

NOTICE TO CREDITORS: The decedent, _____, died _____
Date

Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to _____, named personal representative or proposed personal representative, or to both the probate court at _____
Address City
and the named/proposed personal representative within 4 months after the date of publication of this notice.

_____		Date _____
Attorney name (type or print) _____	Bar no. _____	Personal representative name (type or print) _____
Address _____		Address _____
City, state, zip _____	Telephone no. _____	City, state, zip _____ Telephone no. _____

PUBLISH ABOVE INFORMATION ONLY

Publish one time in _____ in _____ County
Name of publication

Furnish _____ copies to _____

Furnish affidavit of publication to the probate court with copy to _____

Forward statement for publication charges to _____

***NOTE TO PREPARER:** If there is a known creditor whose address is unknown and cannot be ascertained after diligent inquiry, insert "including [name of creditor] whose address and whereabouts are unknown."

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DEFINITIONS:

- **Real property** means land, including a building or house that is built on the land.
- **Personal property** means everything that a person owns except real property. Personal property includes bank accounts and checking accounts.

INSTRUCTIONS TO COMPLETE THE INVENTORY:

1. List all real and personal property in the column "**Personal Property and Real Property Description.**"
2. When listing real property, provide the legal description of the property and the name of any other owner.
 - a. If real property has been used to secure a loan (including an equity line of credit), show the nature and amount of the lien.
 - b. If the value of real property is determined by an appraisal, include the appraiser's name and address and a description of the property appraised.
 - c. If this form is filed in a guardianship, real property that the ward owns jointly or in common with others must be listed along with the type of ownership. The court may require additional information to support the value of property that is stated in the inventory.
3. When listing personal property, provide enough detail to adequately determine the value. Some items should be listed separately and some items should be combined under one category. Provide the name and address of each financial institution listed. The address of a financial institution shall be either that of the institution's main headquarters or the branch used most frequently by the personal representative.
 - a. Examples of items that should be listed and valued separately are:
 - Automobiles
 - Jewelry
 - Bank accounts
 - Antiques
 - Furniture
 - Any other individual item of high value (such as a fur coat)
 - Prepaid burial contracts
 - Life insurance (cash value)
 - Annuities
 - Mutual funds
 - Stocks and bonds
 - b. Examples of items that can be listed in categories are:
 - Household items such as dishes, flatware, curtains, linens, utensils, clothing, furnishings, etc. can be grouped into several categories or combined into one category.
 - Multiple copies or pieces of a specific item that have the same value such as stocks and bonds.
 - c. If personal property has been used to secure a loan, show the nature and amount of the lien.
 - d. If the value of personal property is determined by an appraisal, include the appraiser's name and address and a description of the property appraised.
 - e. If this form is filed in a guardianship, personal property that the ward owns jointly or in common with others must be listed along with the type of ownership. The court may require additional information to support the value of property that is stated in the inventory.

STATE OF MICHIGAN
PROBATE COURT
COUNTY OF

NOTICE TO KNOWN CREDITORS

FILE NO.

Estate of _____

TO: _____
Name

Address

City, state, zip

The fiduciary believes you may be a creditor of the estate. The attached notice to creditors was published _____ .
Date

You have four months from the above date of publication or one month from the date this notice is sent to you, whichever is later, to present your written claim or it will be forever barred. You may use the Statement and Proof of Claim (form PC 579) to submit your claim. The written claim must be timely delivered or mailed to the fiduciary listed below. You may also send it to the probate court for filing along with a filing fee of \$20.00. You may also commence a suit against the estate in a court.

Date

Attorney name (type or print) Bar no.

Address

City, state, zip Telephone no.

Name of fiduciary to whom claim should be presented

Title

Address

City, state, zip

PROOF OF SERVICE

I certify that on _____, I served a copy of this notice on the creditor by
Date

- personal delivery to the creditor.
- mailing, with postage prepaid, to the address indicated in this notice.

I declare under the penalties of perjury that this proof of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date Signature

Do not write below this line - For court use only

STATE OF MICHIGAN PROBATE COURT COUNTY OF	PROOF OF SERVICE	FILE NO.
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In the matter of _____

1. Titles of the papers served or mailed: _____

2. According to court rule, I served by first-class mail registered mail (copy of return receipt attached)
 certified mail (copy of return receipt attached) the papers described above on:

Name	Complete address of service	Date

3. According to court rule, I served by **personal service** the papers described above on:

Name	Complete address of service	Date and Time

4. After diligent search and inquiry, I have been unable to find and serve the following interested persons. I have served these persons by publication. Attached are copies of form PC 617.

I declare under the penalties of perjury that this proof of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee	Miles traveled	Fee	
\$		\$	
Incorrect address fee	Miles traveled	Fee	TOTAL FEE
\$		\$	\$

Date

Signature

Name (type or print)

USE NOTE: If this form is being filed in the circuit court family division, please enter the court name and county in the upper left-hand corner of the form.

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STATE OF MICHIGAN PROBATE COURT COUNTY OF _____	CERTIFICATE OF COMPLETION <input type="checkbox"/> SUPPLEMENTAL	FILE NO.
--	--	-------------------------

Estate of _____

I certify that:

- sworn closing statement, summary proceeding, small estates
1. The sworn statement to close unsupervised administration

of _____, the personal representative(s) of the estate, was
Name
 filed on _____, more than 28 days ago.
Date

2. No objection has been filed.
3. The personal representative(s) appear(s) to have fully administered the estate.

Date

Register

Do not write below this line - For court use only

STATE OF MICHIGAN
PROBATE COURT
COUNTY OF _____

ORDER FOR
COMPLETE ESTATE SETTLEMENT

FILE NO. _____

Estate of _____

1. Date of hearing: _____ Judge: _____ Bar no. _____

THE COURT FINDS:

- 2. Notice of hearing was given to or waived by all interested persons.
- 3. The time for presenting claims has expired.
- 4. The final account is correct and ought to be allowed.
- 5. a. The assets of the estate have been distributed, and all claims properly presented have been paid, settled, or disposed of.
 b. The schedule for distribution and payment of claims correctly identifies the manner in which assets remaining in the estate shall be paid and/or distributed.
- 6. a. No Michigan estate or inheritance tax is due.
 b. Michigan estate tax or inheritance tax has been paid in full. (Evidence of full payment from Michigan Department of Treasury is attached.)
- 7. Decedent's heirs are determined as follows: _____

- 8. Decedent died
 a. intestate.
 b. with a valid, unrevoked will dated _____ with codicil(s) dated _____.

IT IS ORDERED:

- 9. The decedent died intestate.
- 10. The will and codicil(s) are valid and admitted to probate.
- 11. The final account is approved.
- 12. Fiduciary fees and/or attorney fees are approved except _____.
- 13. Distributions already made or as set forth in the schedule for distribution and payment of claims are approved.
- 14. Appointment of the personal representative is terminated.
- 15. The personal representative is discharged.
- 16. The bond is cancelled.
- 17. Estate administration is closed.
- 18. Upon filing evidence of payment of the claims and distributions as set forth above (if any), the appointment of the personal representative may be terminated and an order of discharge entered.
- 19. Decedent's heirs are as determined in item 7 above.

Date Judge Bar no.

Attorney name (type or print) Bar no.

Address

City, state, zip Telephone no.

Do not write below this line - For court use only

STATE OF MICHIGAN
PROBATE COURT
COUNTY OF

NOTICE OF CONTINUED ADMINISTRATION

FILE NO.

Estate of _____

1. The original appointment of the first personal representative occurred on _____ .
Date

The administration has been continued annually since the date of the original appointment.

The estate was reopened and the first personal representative for the reopened estate was appointed on _____ .
Date

2. The estate remains under administration. The continued administration is necessary because:

3. The interested persons, addresses, and their representatives are identical to those appearing on the initial application/petition except as follows: (for each person whose address changed, list the name and new address; attach separate sheet if necessary)

Attorney signature

Attorney name (type or print) Bar no.

Address

City, state, zip Telephone no.

Date

Personal representative signature

Name (type or print)

Address

City, state, zip Telephone no.

NOTE: Send this notice to all interested persons.

Do not write below this line - For court use only