

INSTRUCTIONS FOR COMPLETING A PETITION AND ORDER FOR ASSIGNMENT

1. Complete in full the Petition and Order for Assignment form (PC556) and Testimony to Identify Heirs form (PC 565) don't forget to sign and date the form. Please reference any financial institution's using name, address and account number in the description of property box. The Attorney signature line is used only if you are using an attorney to assist you in filing this petition.
2. Attach a copy of the individual's death certificate, it does not need to be certified a photocopy is sufficient.
3. Attach a copy of the funeral bill; be sure that it includes information about who paid the services (full name). If there are remaining fees for the funeral expenses, the assets will be assigned to the funeral home that provided the services (in an amount sufficient to bring the balance to zero).
4. There is a \$25.00 filing fee along with an inventory fee which is based on the total value of the assets. Once you have completed the petition you will need to contact the Ottawa County Probate Court at 616-786-4110 to obtain the inventory fee due. You may also use the inventory fee calculator found at:
<http://www.miottawa.org/CourtsLE/Probate/calculator.htm>
5. If a certified copy of the Petition and Order for Assignment is needed (for a bank, investment company, etc) the fee will be \$12.00 per copy; this is in addition to the above fees #4.
6. A copy of the Petition and Order for Assignment will be mailed to the Petitioner once the Judge has signed it.
7. Additional information regarding amounts allowed for this type of filing and other information is also included in this packet, see next page.
8. Registration of firearms cannot be assigned through a Petition And Order For Assignment.
9. The Court cannot assign real property if it is located out of state.

PLEASE NOTE: If a petition and order for assignment was previously filed, an order assigned by the judge, and is now closed, a filing fee of \$25.00 will be charged to reopen the estate for any changes made. The certification and inventory fees also will apply.

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

PETITION AND ORDER FOR ASSIGNMENT LIMITS

Limit is \$15,000 after payment of funeral/burial expenses if person died prior to January 1, 2001.

If the person died in calendar year 2001, the limit is \$16,000 after payment of funeral/burial expenses.

If the person died in calendar year 2002 through 2004, the limit is \$17,000 after payment of funeral/burial expenses.

If the person died after 1/1/05, the limit is \$18,000 after payment of funeral/burial expenses.

If the person died after 1/1/07, and before 12/31/08, the limit is \$19,000 after payment of funeral/burial expenses.

If the person died after 1/1/09, the limit is \$20,000 after payment of funeral/burial expenses.

If the person died after 1/1/12, the limit is \$21,000 after payment of funeral/burial expenses.

If the person died after 1/1/14, the limit is \$22,000 after payment of funeral/burial expenses.

If the person died after 1/1/2018, the limit is 23,000 after payment of funeral/burial expenses.

700.3982 Court order distributing small estates

(1) Upon a showing of evidence, satisfactory to the court, of payment of the expenses for the decedent's funeral and burial and if the balance of a decedent's gross estate consists of property of the value of \$15,000.00 or less, the court may order that the property be turned over to the surviving spouse or, if there is not a spouse, to the decedent's heirs.

(2) Upon a showing of evidence, satisfactory to the court, that the decedent's funeral or burial expenses are unpaid or were paid by a person other than the estate, and if the balance of the gross estate after payment of the expenses would consist of property of the value of \$15,000.00 or less, the court shall order that the property be first used to pay the unpaid funeral and burial expenses, or to reimburse the person that paid those expenses, and may order that the balance be turned over to the surviving spouse or, if there is not a spouse, to the decedent's heirs.

(3) Other than a surviving spouse who qualifies for allowances under this act or the decedent's minor children, an heir who receives property through an order under this section is responsible, for 63 days after the date of the order, for any unsatisfied debt of the decedent up to the value of the property received through the order. The court shall state in the order the condition on the distribution of property provided by this subsection.

(4) If a decedent's estate meets the criteria for using the procedure under either this section or section 3983 and if a person is authorized by this act to use either procedure, a person, other than the court, shall not require the authorized person to use 1 procedure rather than the other.

(5) A dollar amount prescribed by this section shall be adjusted as provided in section 1210.

History: 1998, Act 386, Eff. Apr. 1, 2000

Popular Name: EPIC

STATE OF MICHIGAN PROBATE COURT COUNTY OF	PETITION AND ORDER FOR ASSIGNMENT	FILE NO.
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Estate of _____, decedent **XXX-XX-**
First, middle, and last name Last four digits of SSN

PETITION

I, _____, represent that:
Name and relationship

1. Decedent died on _____ .
Date

2. Decedent was a resident of _____ in this county.
City/Township

Decedent lived outside of Michigan and left an estate within this county to be administered.

3. The decedent's personal and real property, gross values, and lien amounts (if any) are listed below. The values of all property are calculated as of the decedent's date of death. *For real property only, if the date of death is on or after March 28, 2013, the gross value of a parcel can be reduced by any lien amount on that parcel; however the remaining inventory value of that parcel cannot be less than zero. For personal property, the gross value and inventory value are the same.

(Attach separate sheet if necessary.)

Legal description of real property	Gross value	Lien amount	Inventory value (less lien)*
Legal description of real property	Gross value	Lien amount	Inventory value (less lien)*
Description of personal property	Gross value		Inventory value
Description of personal property	Gross value		Inventory value
Description of personal property	Gross value		Inventory value
Description of personal property	Gross value		Inventory value
Totals	Total Gross Value		Total Inventory Value

4. Funeral and burial expenses are \$ _____ .

The following persons have paid the following amounts toward the funeral and burial expenses: (Statements and receipts are attached.)

NAME	AMOUNT	NAME	AMOUNT

The amount of funeral and burial expenses remaining unpaid is \$ _____ .

The gross value of the decedent's property remaining after payment of funeral and burial expenses does not/will not exceed \$15,000 as adjusted annually for cost of living.

(SEE SECOND PAGE)

Do not write below this line - For court use only

5. The name and address of the surviving spouse or, if there is not a spouse, the name, age, relationship, and address of each of the decedent's heirs are as follows:

NAME	AGE	RELATIONSHIP	ADDRESS		
			Street address		
			City	State	Zip
			Street address		
			City	State	Zip

6. I REQUEST that the property listed above be assigned as follows:

- a. for funeral and burial expenses, \$ _____ to _____, \$ _____
Name
 to _____, and \$ _____ to _____.
Name
- b. to the surviving spouse, _____.
- c. to the following heirs in the stated proportions, _____.

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.

 Attorney signature

 Name (type or print) Bar no.

 Address

 City, state, zip Telephone no.

 Date

 Petitioner signature

 Address

 City, state, zip Telephone no.

ORDER ASSIGNING ASSETS

IT IS ORDERED:

- 7. The property described above is assigned as follows:
 - a. for funeral and burial expenses, \$ _____ to _____, \$ _____
Name
 to _____, and \$ _____ to _____.
Name
 - b. to the surviving spouse, _____.
 - c. to the following heirs in the stated proportions, _____.

For 63 days from the date of this order, the share of each heir other than a surviving spouse or minor child shall be subject to any unsatisfied debt of the decedent up to the value of property received through this order.

8. The petition is denied. dismissed/withdrawn.

 Date

 Judge Bar no.

I certify that I have compared this copy with the original on file and that it is a correct copy of the original.

 Date

 Deputy register

STATE OF MICHIGAN PROBATE COURT COUNTY OF	TESTIMONY TO IDENTIFY HEIRS	FILE NO.
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Estate of _____
First, middle, and last name

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 _____ and at that time the
Date Time
 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 parent. left a surviving parent 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 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 and are currently living. 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.)

Signature

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

My commission expires: _____ Signature: _____
Date 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.