

## INSTRUCTIONS FOR COMPLETING A PETITION AND ORDER FOR ASSIGNMENT

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

**Forms must be filled out completely and uploaded to MiFile ([mifile.court.michigan.gov](http://mifile.court.michigan.gov)\login). Keep copies for your own record.**

**Step One: Initial Filing** (upload all documents in MiFile)-*Filing fee of \$25.00 along with Inventory fee is due at the time of filing online.*

Inventory fee is based on the total value of the assets. You may use the inventory fee calculator found at: <https://www.miottawa.org/Courts/Probate/calculator.htm>

Documents Included:

- Petition and Order for Assignment (PC 556)-Please reference any financial institution by names, 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.
- Testimony to Identify Heirs (PC 565)
- Death Certificate: upload death certificate in MiFile, it does not need to be certified; a photocopy is sufficient.
- Funeral bill: upload a copy of the funeral bill in MiFile. Be sure that it includes information about who paid the services (full name). If there are remaining fees for 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).

**Step Two:** Once you have received confirmation from MiFile that the Court has accepted your petition you may request a certified copy of the Petition and Order for Assignment if needed (for a bank, investment company, etc.). The fee will be \$12.00 per copy; this is in addition to the above filing fees.

### Additional Information Regarding Petition and Order for Assignment

1. Registration of firearms cannot be assigned through a Petition and Order for Assignment.
2. The Court cannot assign real property if it is located out of state.
3. 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 dies after 1/1/2005, the limit is \$18,000 after payment of funeral/burial expenses.

OTTAWA COUNTY PROBATE COURT  
12120 FILLMORE STREET  
WEST OLIVE, MI 49460

Hours: Mon-Fri 8:00 AM-5:00 PM  
Phone: 616-786-4110  
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- If the person died after 1/1/2007, and before 12/31/2008, the limit is \$19,000 after payment of funeral/burial expenses.
  - If the person died after 1/1/2009, the limit is \$20,000 after payment of funeral/burial expenses.
  - If the person died after 1/1/2012, the limit is \$21,000 after payment of funeral/burial expenses.
  - If the person died after 1/1/2014, 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.
  - If the person died after 1/1/2019, the limit is \$23,000 after payment of funeral/burial expenses.
4. 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.
5. Michigan Compiled Laws (700.3982 Court order distributing small estates)
- a. 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.
  - b. 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.
  - c. 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.
  - d. 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.
  - e. 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

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