

- Inventory (PC 577)
- Proof of Service (PC 564)
- Sworn Statement to Close (PC 591)
- Certificate of Completion (PC 592) – The court will send you this form when file has been closed.
- Notice of Continued Administration (PC 587) - this form will be required annually if the estate is not settled.

Informal Proceedings

From Beginning to Register's Statement

Informal Proceedings

Informal proceedings are commenced by filing an application directed to the register. The application may be for informal probate (informal admission of a will) or appointment of a personal representative or both. Informal proceedings are defined in EPIC to mean proceedings for probate of a will or appointment of a personal representative conducted by the probate register without notice to interested persons. This material will deal only with informal proceedings. **If you are attempting to admit a copy (or anything other than an original) of a will you must file a petition not an application, see formal proceedings instructions.**

Only an "interested person" may file an application for informal 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 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 register to commence an informal proceeding are:

- Application for Informal Probate and/or Appointment of Personal Representative (Testate/Intestate) (PC 558) and payment of \$175.00. The application should be completely and carefully filled out.
- Copy of death certificate.
- ORIGINAL Will and codicil, if any.
- Testimony of 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.
- Register's Statement (PC 568).
- 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).

Under MCL 700.3310 an applicant seeking appointment in an informal proceeding must give notice to each person having a prior or equal right to appointment who has not waived the right. Such a waiver may be accomplished by filing a Waiver and Consent (PC 561). The applicant must also serve a copy of the application on those persons pursuant to MCR 5.709(C). The notice and service of the application must be made at least 14 days by mail or publication or 7 days by personal service prior to appointment. A proof of service must also be filed with the court pursuant to MCR 5.709(C)(2).

In an informal proceeding for original probate of a will, MCL 700.3303(1) requires that the register shall determine whether all of the following are true:

- The application is complete.
- The applicant has made oath or affirmation that the statements contained in the application are true to the best of the applicant's knowledge and belief.
- The applicant appears from the application to be an interested person.
- On the basis of the statements in the application, venue is proper.
- An original, properly executed, and apparently unrevoked will is in the register's possession.
- That the application is not within section 3304. This section provides that the register shall deny an application for informal probate if the probate relates to 1 or more of a known series of testamentary instruments, not including a will and 1 or more codicils to that will, the latest of which instrument does not expressly revoke the earlier.

In informal appointment proceedings, MCL 700.3308(1) requires that the register shall determine whether all of the following are true:

- The application for the personal representative's informal appointment is complete.
- The applicant has made oath or affirmation that the statements contained in the application are true to the best of the applicant's knowledge and belief.
- The applicant appears from the application to be an interested person.
- On the basis of the statements in the application, venue is proper.
- A will to which the requested appointment relates has been formally or informally probated. This subdivision does not apply to the appointment of a special personal representative.

- The person whose appointment is sought has priority to the appointment or the requirements of section 3310 (explained previously) have been satisfied.

If all papers are in order and the register is able to make the required findings, the register will sign the Register's Statement and immediately issue Letters of Authority. If the register denies the application, the register shall state the reason for the denial. The denial is not adjudication. There is no appeal from this denial. Essentially, a denial will require that you begin probate by formal proceedings.

STATE OF MICHIGAN PROBATE COURT COUNTY	APPLICATION FOR INFORMAL PROBATE AND/OR APPOINTMENT OF PERSONAL REPRESENTATIVE (TESTATE/INTESTATE)	CASE NO. and JUDGE
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Court address 414 WASHINGTON ST, ROOM 200, GRAND HAVEN, MI 49417	Court telephone no. 616-786-4110
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In the matter of _____
First, middle, and last name

Petitioner's name, address and telephone no.

Petitioner's attorney, bar no., address, and telephone no.

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

Relationship to decedent, i.e., heir, devisee, child, spouse, creditor, beneficiary, etc. _____
 2. Decedent information: _____
Date of death Time (if known) Date of birth

Put DOB in Ref. No. row 1 on MC 97. Put last 4 digits of SSN in Ref. No. row 2 on MC 97.
XXX-XX- Last four digits of SSN

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

3. A death certificate has been issued, and a copy accompanies this application as a separate document.
 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 spouse, children, devisees, and heirs 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*	AGE (if minor)**
	Street address		
	City State Zip		
	Street address		
	City State Zip		
	Street address		
	City State Zip		
	Street address		
	City State Zip		

*Specify spouse, child, devisee, or heir.

**If person is a minor, provide the date of birth on form MC 97a and put the Ref. No. from that form in the box above with the age.

4. (continued)

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 Name, address, and capacity

- 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. a. The decedent died intestate and 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 (if this statement is true, the probate register must deny this

application according to MCL 700.3311): _____
 The instrument is attached to this application. is already in the court's possession.

- c. The decedent's will, dated _____, with codicil(s) dated _____, is/are offered for probate and is/are attached to this application. is/are already in the court's possession.

- d. 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 are attached to this application.

7. To the best of my knowledge, I believe that the instrument(s) subject to this application, 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).

- 8. 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

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

 City State Zip

- 10. Other persons have prior or equal right to appointment as personal representative. They are:

 Name Name

 Name Name

Suitable renunciations, nominations, and/or a Notice of Intent to Seek Informal Appointment and proof of its service have been or will be filed.

- 11. The will expressly requests that the personal representative serve with bond.
- 12. A special personal representative is necessary because _____

I REQUEST:

- 13. Informal probate of the will.
- 14. Informal appointment of the nominated personal representative with without bond.
- 15. The appointment of a special personal representative pending the appointment of the nominated personal representative.

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

Date

Applicant signature

Date

Attorney signature

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.)

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

Date

Signature

Attorney signature

Name (type or print) Bar no.

Address

City, state, zip Telephone no.

STATE OF MICHIGAN PROBATE COURT OTTAWA COUNTY	SUPPLEMENTAL TESTIMONY TO IDENTIFY NONHEIR DEVISEES Testate Estate	CASE NO. and JUDGE
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Court address 414 WASHINGTON ST, ROOM 200, GRAND HAVEN, MI 49417	Court telephone no. 616-786-4110
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In the matter of _____
First, middle, and last name of decedent

*****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:

STATE OF MICHIGAN
PROBATE COURT
COUNTY OF

RENUNCIATION OF RIGHT TO APPOINTMENT,
NOMINATION OF PERSONAL
REPRESENTATIVE AND WAIVER OF NOTICE

FILE NO.

Estate of _____

- 1. I, _____, have a prior or equal right to appointment as personal representative.
Name (type or print)
- 2. I renounce that right.
- 3. I have the right to nominate and I nominate and request the appointment of _____ as personal representative.
Name (type or print)
- I renounce my right to nominate a qualified person to act as personal representative.
- 4. I waive notice of the appointment.

Date

Attorney name (type or print) Bar no.

Signature

Address

Address

City, state, zip Telephone no.

City, state, zip Telephone no.

NOTE: A person with priority as determined by a probated will, including a person nominated by a power conferred in the will, does not through this priority have the power to nominate another to be personal representative.

Do not write below this line - For court use only

**STATE OF MICHIGAN
PROBATE COURT
COUNTY OF**

**NOTICE OF INTENT TO REQUEST
INFORMAL APPOINTMENT OF
PERSONAL REPRESENTATIVE**

FILE NO.

Estate of _____

I, _____, intend to request my informal appointment
Name as personal representative of the estate. A copy of the application is attached. This notice is being served upon each person whose right to an appointment is prior or equal to my own. The court will not act upon my application until 14 days after the date this notice was mailed or until 7 days after this notice was personally served.

The actions you may take include:

- Upon paying a filing fee, filing a petition for formal proceedings to appoint a personal representative.
- Upon paying a filing fee, filing an application for informal appointment of yourself as personal representative provided you have a higher priority to be appointed.
- Contacting an attorney for assistance in representing you in any proceeding you wish to file in the court.

The court will not be able to provide you with any legal advice in completing or filing the forms.

_____ Date

Attorney name Bar no.

Applicant signature

Address

Address

City, state, zip Telephone no.

City, state, zip Telephone no.

NOTICE TO APPLICANT: You must attach this notice and a proof of service to the application for informal appointment when you file it with the court. If you are unable to serve an interested person because the address or whereabouts of that interested person is unknown, you must publish notice by using form PC 563a.

Do not write below this line - For court use only

STATE OF MICHIGAN PROBATE COURT OTTAWA COUNTY	REGISTER'S STATEMENT	CASE NO. and JUDGE
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Court address 414 WASHINGTON ST, ROOM 200, GRAND HAVEN, MI 49417	Court telephone no. 616-786-4110
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In the matter of _____
First, middle, and last name of decedent

1. An application has been filed requesting
 - informal probate of the will of the above named decedent.
 - the appointment of a personal representative.
 - the previously administered estate be reopened.
 - appointment of a successor personal representative.
2. Upon consideration of the application, I determine that all of the following are true:
 - a. Venue is proper.
 - b. The application is complete and made in accordance with MCL 700.3301 or MCR 5.312.
 - c. The applicant appears to be an interested person.
 - d. An original, properly executed, and apparently unrevoked will dated _____ with codicil(s) dated _____ is in my possession.
 - An authenticated copy of the will and codicil(s) probated in _____ County _____ is offered for informal proceedings and documents establishing probate in another state are in my possession.
 - e. The application is not within MCL 700.3304 or MCR 5.144.
 - f. A will to which the requested appointment relates has been formally or informally probated.
 - g. The person whose appointment is sought has priority to the appointment, with or without appropriate nomination and/or renunciation.
 - The applicant gave notice of his/her intention to seek an informal appointment to each person having a prior or equal right to an appointment not waived in writing and filed with the court.
 - h. There is a good cause to reopen the previously administered estate and appoint a personal representative. The estate was not closed under supervised administration.
3. The will dated _____ with codicils dated _____ is admitted to informal probate.
4. The authority of the prior personal representative has been terminated by death, resignation, or appointment of a conservator.
5. _____ is appointed
 - personal representative special personal representative successor 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 the amount of \$ _____ .
 After qualification, the personal representative shall comply with all relevant requirements under the law.
6. The application is denied because:
 - a personal representative has been appointed in this or another county of this state and continues to serve.
 - this or another will of the decedent has been the subject of a previous probate order.
 - the probate relates to one or more of a known series of testamentary instruments, the latest of which does not expressly revoke the earlier.
 - other: _____
7. The estate is reopened. Letters of authority expire _____ .

 Register signature and date

Attorney name (type or print) _____ Bar no. _____

Address _____ City, state, zip _____ Telephone no. _____

STATE OF MICHIGAN PROBATE COURT COUNTY	ACCEPTANCE OF APPOINTMENT	CASE NO. and JUDGE
Court address 414 WASHINGTON ST, ROOM 200, GRAND HAVEN, MI 49417		Court telephone no. 616-786-4110

In the matter of _____
First, middle, and last name

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
not to exceed 91 days

the 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.

Put DOB in row 10 on MC 97a.
Date of birth

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	NOTICE TO CREDITORS Decedent's Estate	CASE NO. and JUDGE
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Court address 414 WASHINGTON ST, ROOM 200, GRAND HAVEN, MI 49417	Court telephone no. 616-786-4110
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Estate of _____ Date of birth:* _____
First, middle, and last name

***NOTE TO PREPARER:** If a copy of this form is filed with the court, you **must** redact the date of birth from the copy being filed as required by court rule.

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 _____, personal representative, or to both the probate

court at _____
Address City

and the personal representative within 4 months after the date of publication of this notice.

_____	_____	_____	_____
Attorney name (type or print)	Bar no.	Personal representative name (type or print)	Date
_____	_____	_____	_____
Address	Address	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."

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

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)

Date

Attorney signature

Personal representative signature

Attorney name (type or print) Bar no.

Name (type or print)

Address

Address

City, state, zip Telephone no.

City, state, zip Telephone no.

NOTE: Send this notice to all interested persons.

Do not write below this line - For court use only

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT OTTAWA COUNTY	CONTACT INFORMATION <input type="checkbox"/> AMENDED	CASE NO. and JUDGE
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Court address 414 WASHINGTON ST, ROOM 200, GRAND HAVEN, MI 49417	Court telephone no. 616-786-4110
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This form is confidential and not to be served on other parties in this case. Any contact information below that has already been provided or is provided in the future in a public court filing or through the MiFILE system will not be made confidential by this document.

Please provide the following contact information:

1. Your name: _____
First, middle, and last name

2. a. Telephone number where the court can contact me: _____
 This telephone: can cannot receive text messages from the court.
 can cannot receive voice messages from the court.

b. I do not have a telephone number where the court can contact me.

3. a. E-mail address where I can receive e-mails: _____

b. I do not have an e-mail address where I can receive e-mails from the court.

PLEASE READ AND UNDERSTAND THE FOLLOWING:
 Upon signing this form, you are consenting to text, e-mail, and/or phone notifications on your court case. If the case is NON-PUBLIC, it is NOT ELIGIBLE for text or phone notifications.

By signing this form, I authorize the _____ court to notify me of upcoming events in this case.
Name of court

I understand, based on the options chosen above that I will receive text, e-mail, and/or voice notifications to the phone number or e-mail address listed on this form. I also understand that the _____ court is not responsible for any additional fees or charges due to my phone carrier data rates.
Name of court

In the event that my e-mail, or cell or land line phone number changes, I will notify the court to update their records, and if I fail to do so it will result in the termination of this service from the court.

Privacy Disclaimer: Your contact information is necessary to assist the court in providing important information in a timely manner. Your information will not be sold, distributed, or shared with any other entity. You can OPT-OUT of the system at any time. Simply reply OPTOUT to any received message.

 Date

 Signature